1977

Emile Boutmy: The Political Education of the Third Republic

Louis J. Voskuil
Loyola University Chicago

EMILE BOUTMY:

THE POLITICAL EDUCATION OF THE THIRD REPUBLIC

by

Louis Voskuil

A Dissertation Submitted to the Faculty of the Graduate School of Loyola University of Chicago in Partial Fulfillment of the Requirements for the Degree of Doctor of Philosophy

February

1977

ACKNOWLEDGMENTS

I should like to thank the following people at Loyola University of Chicago: Dr. Walter Gray, my dissertation advisor, for his patience, encouragement and advice; Dr. Margaret O'Dwyer and Dr. Franklin Walker, members of my dissertation committee, for their helpful criticism; Dr. Robert McCluggage for his advice concerning the first copy of the manuscript. Professor David Halvorsen of Covenant College has been of inestimable help when I had difficulties with the French language. My typists, Rebecca Stigers and Arline Wetzel, often rearranged their personal schedules to meet deadlines. I should like to thank Trinity Christian College, Palos Heights, Illinois, and Covenant College, Lookout Mountain, Tennessee, for financial assistance and the United States Government for a financial grant which enabled me to complete my year of residence. Last, but most important, I wish to acknowledge the efforts and support of my wife who gave up much in my pursuit of graduate education.

PREFACE

Emile Boutmy's life work falls into two distinct but related categories--his own study and analysis of the political psychology of England and America and his work as an educational leader and reformer. The overwhelming bulk of his writings falls into the first category and it is from his comparative political studies that one must distil his methodology and political ideas. It is also in these works that his message to his countrymen is to be found. His educational writings consist of published reports and short monographs which deal with specific aspects of the French educational system or with the administration of his own foundation, Ecole libre des sciences politiques. A list of these works are included in the bibliography. Proper analysis of Boutmy's educational work would require considerable study of the structure and history of French education in the Nineteenth Century. Such a study is outside the scope of this paper.

This study is an analysis of Boutmy's writings on the Anglo-Saxon peoples and their political psychology. Boutmy lived through the troubled days of the Franco-Prussian War and the first thirty-five years of the Third Republic. Running through his studies of the English and American people

is an implicit and often explicit comparison with the French political psychology. Thus his studies of the Anglo-Saxons carry a message for his troubled contemporaries; it was in England especially that Boutmy saw many of his political principles realized historically. The framework for that message was the methodology developed by Hippolyte Taine for literary criticism; Boutmy adapted that method for political study and applied it in his works on the English and Americans. He claimed that his methodology provided a unique key for the understanding of a nation's political psychology. It is important, therefore, to examine his methodology as well as his portrait of the Anglo-Saxons. This study, then, will give a brief sketch of Boutmy's life and his work as founder of the Ecole libre des sciences politiques and will concentrate primarily on his methodology, the emphasis in his political studies, and the message he brings to his countrymen.

His intellectual traditions are somewhat difficult to pinpoint. He did place himself briefly in relationship to the historiographical tradition on the American constitution and to Tocqueville and Bryce on America. Besides those relatively sketchy statements he did not document his intellectual indebtedness other than to Taine. Yet something of his intellectual traditions can be ascertained by means of reviews, controversies, his own articles and reviews and by

comparisons with other nineteenth-century intellectuals. Such an attempt is made throughout the paper wherever possible.

This study, then, opens up a glimpse into the thinking and the work of an important Third Republic intellectual and educator, and not only that but also into the traditions and the concerns of the last generation of French liberals, heirs of Guizot and Tocqueville who had to cope both with the establishment of democracy and the threat of socialism.

VITA

The author, Louis, J. Voskuil, is the son of Louis A. and Jennie (Nyenhuis) Voskuil. He was born September 29, 1934, in Cedar Grove, Wisconsin.

He obtained his elementary education from Cedar Grove Public School. He was graduated from Cedar Grove High School in 1952. In September, 1952, he entered Calvin College in Grand Rapids, Michigan and in June, 1956, received the degree of Bachelor of Arts with a major in English literature. The next three years he spent in theological study, receiving the degree of Bachelor of Divinity from Westminster Theological Seminary in May, 1959. In 1962 he began graduate work in history at Loyola University in Chicago, receiving the degree of Master of Arts in February, 1967. Continuing his graduate work at Loyola, he received the degree of Doctor of Philosophy in history in February, 1977.

His teaching experience started with the teaching of English and history at Philadelphia-Montgomery Christian High School in September, 1959. In 1961 he accepted a position to teach history at Trinity Christian College in Palos Heights, Illinois. Since September, 1972, he has taught history at Covenant College, Lookout Mountain, Tennessee.

TABLE OF CONTENTS

CHAPTER I

THE POLITICAL AND INTELLECTUAL ENVIRONMENT OF ÉMILE BOUTMY

On the tenth of January, 1872, a new institution of higher learning held its formal opening ceremonies in Paris. That institution was the Ecole libre des sciences politiques; its purpose was to train an elite corps of public servants for the nation in an atmosphere free from the political passions and ideologies believed inherent in a school under state control. Its chief founder and director until his death in 1906 was Émile Gaston Boutmy, who hoped to create a stronger and more stable France in the aftermath of the disastrous defeat by Prussia and in the midst of the third French attempt at a republic.

Boutmy had been lecturer in the comparative history of architecture at the Ecole speciale d'architecture, but it had collapsed in the difficulties of the war and he was now to enter into a new career. The Franco-Prussian War affected him more, however, than a change in professions. It shocked him into a consideration of the reason for France's defeat and ultimately to the founding of his new school. The shock of the French defeat was not unique to him; it hit the intellectual community as a whole with great force. A colleague of Boutmy, Émile Levasseur, writing in 1906 on the former's

role in founding and directing the school, testified, "The events of that terrible year from August, 1870, to May, 1971, were the cause of one of the deepest sorrows I have ever felt--I feel it still."[1] Hippolyte Taine, a close friend and supporter of Boutmy, was also deeply touched by the defeat; it turned him to his monumental study, The Origins of Contemporary France, to seek the reasons for what had happened to his nation.[2] It also reoriented Boutmy's personal research toward comparative political-psychology with an emphasis on the Anglo-Saxons. Such studies were to help the French understand their neighbors better, but were also to serve as a basis for self-understanding.

Although there is no documentary evidence available to show that Boutmy and Taine consciously took up complementary aspects of the task to educate France in the direction they believed necessary for her political salvation, in effect, that is what occurred. Taine's Origins of Modern

---

[1]"Boutmy et l'ecole," Annales des sciences politiques 21 (March, 1906):141. For the intellectual and psychological impact of the war on the intellectual community generally, see: Claud Digeon, La crise allemande de la pensée francaise, 1870-1914 (Paris: Presses Universitaires de France, 1959); Andre Bellesort, Les intellectuels et l'avènement advent de la III^e republic (Paris: Bernard Grasset, 1931); Michael Mohrt, Les intellectuels devant la défaite, 1870 (Paris: Editions Correa, 1942); Daniel Halevy, Trois épreuves, 1815, 1870, 1940 (Paris, 1941).

[2]For a general consideration of the war's impact on Taine's thinking, see Armand E. Singer, The Effect of the War of 1870 on the Development of Taine's Thought (Ph.D. Dissertation, Duke University, 1943).

France was to be a searching analysis of the origin and nature of France's present difficulties, thus pointing implicitly toward solutions. Boutmy's research on the Anglo-Saxons would complement Taine's studies through implicit and often explicit comparison with France. His new school, the Ecole libre des sciences politiques, would give French diplomats and bureaucrats a professional training free of the distortion involved in state-sponsored education. Through their combined work France would be better prepared to face the modern world.[3]

The focus of this study is Boutmy's political-psychological study of the Anglo-Saxons and the methodology which that approach entailed. Within that framework and on that basis he established and directed his school. While it is not the intention of this study to deal at length with his personal life or the school, both must be examined briefly as the context for his political studies.

---

[3]Maurice Duverger comments on the complementary nature of their work: Taine "demande à l'histoire un programme de gouvernement, car il la considere comme une science, capable, comme les autres sciences, d'élaborer des lois certaines, il espère aussi contribuer au relevement du pays, et collaborer indirectement avec l'Assemblee nationale dans la tâche, qu'il juge très difficile, d'élaborer une Constitution qui soit bonne. Vers la même temps et dans la même pensée, il donne son concours à E. Boutmy pour fonder l'Ecole des Sciences politiques. Dès le dèbut, les Origines se presentent comme une sorte de manuel à l'usage des gouvernants de la Republique." Institutions politiques et droit constitutionnel (Paris: Presses Universitaires de France, 1955), p. 522.

Émile Gaston Boutmy was born on April 10, 1835, the second of three sons born to Laurent-Joseph Boutmy.[4] Eugene, the eldest was born in 1833 and Henry in 1845. The family lived in comfortable circumstances north of Paris and even enjoyed a summer home in Creuse. As a student in the Lycée Bonaparte, Émile did well, his name appearing among the winners in the competitive exams.[5] In the middle of his schooling an extra burden was laid on him with the death of his father.[6] Because his elder brother Eugene was not very healthy, the burden of assisting his mother in the care and education of his brothers fell mostly on Émile. While he finished his education, he did tutoring and served as a

---

[4]Alfred de Foville, Notice historique sur la vie et les travaux de M. Émile Gaston Boutmy (Paris: Firmin-Didot et C^ie^ for the Institut de France, 1910), p. 7. The biographical data is chiefly dependent on Foville's memorial speech which is the official life of the Institut de France, and on E. Levasseur, "Boutmy et l'ecole" 21:142-179. Levasseur taught statistics and commercial geography at the Ecole libre des sciences politiques from its early days. His memorial speech appeared two months after Boutmy's death in the Annales des Sciences politiques, the journal which grew out of the work of Boutmy's school. On Levasseur, see James W. Thompson, A History of Historical Writing, 2 vols. (New York: The Macmillan Co., 1942), 2:435-36, also La Grande Encyclopedie, n.d., s.v. "Levasseur, Émile." Other memorials and necrologies chiefly concern Boutmy's work as author and educator. For a brief statement of Boutmy's life see Dictionnaire de biographie francaise, 1956 ed., s.v. "Boutmy, Émile."

[5]Levasseur, "Boutmy et l'ecole" 21:142.

[6]Conflicting dates are given on his father's death. Foville dates it in 1848, Notice historique, p. 7, Levasseur in 1851, "Boutmy et l'ecole" 21:142.

private teacher, yet continuing to win awards, now at the Lycee Louis-le-Grand, one of the most prestigious in France.[7]

After he finished his schooling, Boutmy entered the field of journalism under the sponsorship of Émile de Girardin, with whom his father had been friend and collaborator.[8] In the period 1855-1865 he wrote articles as a critic of literature, art, politics and the theater chiefly for the Presse, briefly for the Liberté and contributed some material to the Journal des Debates. Girardin had founded the Presse in 1836, and aimed his format and price for a mass audience. Girardin was important to Boutmy for the launching of his career, but the former's frenetic involvement in public affairs and his constant shifts in political allegiance made it unlikely that Girardin exercised any significant intellectual influence over him. In 1866 Girardin left the Presse to take control of the Liberté. Boutmy worked for him briefly there before taking a new step in his career.

In his decade as a journalist Boutmy made many

---

[7]Levasseur, "Boutmy et l'ecole" 21:143.

[8]Foville, Notice historique, p. 8; La Grande Encyclopedie, n.d, s.v. "Girardin, Émile de." (18:971). For a brief statement of Girardin's role in the life of the French press, see G. F. Renard, Les travailleurs du livre et du journal, 3 vols. (Paris: 1925-26), 2:229-39.

important contacts which were to serve him well in later years.[9] His most significant acquaintance was that of Hippolyte Taine; he had already met him during his years of schooling. The significance of Taine's friendship, because of its importance, will be reserved for discussion at a later point. During this time he met Francois Guizot and Emile Trelat; the former helped boost the Ecole libre des sciences politiques and the latter gave him, in 1865, a position in his Ecole speciale d'architecture. He also made the acquaintance of Lucien-Anatole Prévost-Paradol. The famous liberal journalist had been a comrade of Taine's at the Ecole normale and later worked alongside Boutmy at the Presse from 1860-1865. In this period also the latter was considerably influenced by Edouard Laboulaye, liberal journalist, writer and professor, protagonist to the empire.[10] In a memorial he praised both men as "two hearths where

---

[9]For the authoritative, general study of the period of Napoleon III, see Pierre de la Gorce, Histoire du second empire, 7 vols. (Paris: Plon-Nourrit et C^ie, 1894-1904). For a helpful, short study of the political system see Theodore Zeldin, The Political System of Napoleon III (New York: W. W. Norton and Co., Inc., 1958).

[10]For the official Institut life of Laboulaye, see Henri Walloon, "Notice sur la vie et les travaux de M. Edouard-Rene Lefebvre-Laboulaye, member ordinaire de l'Academie des Inscriptions et Belles-Lettres," Memoires de l' institut national de France, academie des inscriptions et belles-lettres 35:286-321. For a concise, scholarly analysis of Laboulaye's political thought, see Jean de Soto, "Edouard de Laboulaye," Revue internationale de'histoire politique et constitutionnele 5(1955):114-150.

. . . the passion of political liberty was relit and rekindled."[11] Along with Guizot and Taine, Laboulaye was later to give a boost to the opening of Boutmy's school by his public endorsement. Boutmy's chief contacts in this period were with some of the leading French liberals.

About the time that his career in journalism ended, his mother died.[12] For a time he and his two brothers lived in a Paris apartment. Eugene eventually became a molecular physicist and Henry, trained in the Ecole polytechnique, took a position as an engineer with the firm of Saint-Gobain. Eugene remained single; Henry later had his own family.

Émile had never given much thought to marriage while the care of his family rested on his shoulders. A year after the death of his elder brother in 1881, he married the daughter of a Protestant minister, Pastor Bersier. Though her health was frail, he enjoyed a happy marriage with his wife which lasted until 1898 when she died of a mysterious illness.[13]

The most influential relationship in his life apart

---

[11]Taine, Scherer, Laboulaye (Paris: Librairie Armand Colin, 1901), p. 118.

[12]Again the dates conflict. Levasseur places her death in 1865 in "Boutmy et l'ecole" 21:142, n.1., and Foville in 1866 in Notice historique, p. 9.

[13]Foville, Notice historique, p. 32.

from his marriage was clearly that of his forty year friendship with Hippolyte Taine. His first prolonged contact with Taine came as a result of the latter's growing reputation, for it was that which attracted him in 1852 as an irregular student to the private school of Carre-Demailly where Taine had received a position as lecturer.[14] Taine later built a home at Menthon Saint-Bernard on the shores of the Lake of Annecy in Savoy. Boutmy often visited Taine there during his summer vacations, their friendship increasing over the years. J. E. C. Bodley, while writing his history of France, visited Taine there, and testified that in the last period of Taine's life, while he was writing his Origins of Contemporary France, Boutmy was his most intimate friend.[15] The latter eventually built a summer cottage in Menthon, but in 1893, before the building was finished, Taine died.

The value and influence of Taine's friendship was incalculable. In 1865 Taine was offered a chair at the Ecole speciale d'architecture founded by Émile Trelat, a free school, free, that is, of any government support or control. Taine instead proposed Boutmy's name and in 1865 the latter was named to a chair in the History of Civilizations; he later received a second post, Professor of the

---

[14] Life and Letters of H. Taine, 3 vols., trans. Mrs. R. L. Devonshire (New York: E. P. Dutton & Co., 1902), 1:260.

[15] France (New York: Macmillan Co., 1900), p. vi.

Comparative History of Architecture.[16] Besides recommending him for that position, Taine gave him valuable support and advice in the early, difficult days of the Ecole libre des sciences politiques. Boutmy testified:

> During our committee meetings Taine rarely made speeches. He preferred instead to question, to ask for explanations, thus obliging us to examine more clearly our own projects and the means we held for their accomplishment. His questions, propounded as they were with careful method and prevision, tended to throw light on many points, and he led us rather by his questions than his advice. His advice, however, whenever given was far-seeing with the foresight that inspires deeds; and a plan of action decided on, he avoided any troubling of the man authorized to execute it with small objections as to detail; rather he sought to help, to give him confidence for his task. Never had man of thought a keener faculty for realizing the claims of practical business.[17]

Taine used his influence to boost the school among French intellectuals at its inception and was a member of its governing committee until his death. At the same time, the support that the school received from so many people, both young and old, men of science and men of business, greatly cheered Taine in a period of sorrow and discouragement.[18] Of equal importance to Taine's personal friendship and support, however, was the influence of his political ideas and philosophical methodology. The influence of his methodology will be studied later, but it is necessary to examine

---

[16] Levasseur, "Boutmy et l'ecole" 21:143.

[17] Taine, Scherer, Laboulaye, p. 4.

[18] Life and Letters of H. Taine, 3:68.

briefly Taine's political thinking, for his ideas had a significant impact on Boutmy's political ideology. The full significance of Taine in this respect will be seen later as Boutmy's own political views are analyzed.[19]

Taine was predisposed to view democracy with both suspicion and fear for he believed not only that the masses were ignorant, but that in the nature of things reason is "not an innate endowment, primitive and enduring, but a tardy acquisition of unstable equilibrium."[20] Furthermore, since man was determined by his physical and social environment little or no improvement ought logically to be expected.

On such a basis, he could only believe that a parliamentary democracy was anarchical, for a parliament elected by the masses could only be a noisy group where half-formed opinions were expounded with passionate rhetoric. Furthermore, in France, the state formed a perfect despotism, for it was based on Rousseau's contract theory and there is no

---

[19]For a general study of Taine, see the following works: Victor Giraud, Essais sur Taine: Son oeuvre et son influence (Paris, 1928); André Chevrillon, Taine: formation de sa pensée (Paris, 1932); Alphonse Aulard, Taine, historien de la revolution francaise (Paris, 1907); Sholom Kahn, Science and Aesthetic Judgement: A Study in Taine's Critical Method (New York: Columbia University Press, 1953); Leo Weinstein, Hippolyte Taine (New York: Twayne Publishers, 1972).

[20]The Ancient Regime, trans. John Durand, new ed., rev. (New York: Holt and Co., 1896), p. vi.

barrier erected against it.[21] Sovereignty rested with the majority, the very people ruled by their passions.

In general Taine's political preference was for a liberal aristocracy.[22] He was unalterably opposed to the centralized state whether under the control of an individual or the masses. He believed strongly in the value and necessity of historically formed entities--universities, churches, and charitable, scientific, fraternal and political associations of various types which nourish the individual and stand between him and the state. Ideally the state should be "ruled by an aristocracy for the good of the common people, embodying the principles of private enterprise, association and property and that of decentralization."[23]

Taine is difficult to categorize, however, because his pessimism and his scientific determinism introduce incongruous elements into his thought. Characteristically a liberal is optimistic concerning human nature and human freedom is a basic premise of his thought. Logically, Taine

---

[21] The Ancient Regime, p. 244.

[22] Weinstein, Hippolyte Taine, p. 138. Singer, The Effect of the War of 1870, p. 243.

[23] Singer, The Effect of the War of 1870, p. 222. Two helpful articles deal with the incongruities of Taine's interpretation of the old regime and the Revolution: Alfred Cobban, "Hippolyte Taine, Historian of the French Revolution," History 53(October, 1968):331-41; Peter Amann, "Taine, Tocqueville, and the Paradox of the Old Regime," The Romanic Review 52(October, 1961):183-195.

should have held to a Hobbesian view of the state rather than to a decentralized liberal aristocracy. Yet he did believe that education was possible and beneficial and that France might even be ready for a democracy in a hundred years.[24]

The corpus of Taine's beliefs furnished a strongly influential environment for Émile Boutmy. Such influence can be seen in his analysis of the Anglo-Saxon political systems, but also is involved in his conception of the task of the Ecole libre des sciences politiques. In an open letter written in February, 1871, to Ernest Vinet, formerly librarian for the Ecole speciale d'architecture, Boutmy asserted that France needed an educated elite to set the tone for the nation, that the declaration of war was an insane measure, a measure made possible because "the government of public opinion belongs to frivolous journalism so much more than to serious journalism" and this was the case because "the number of men capable of appreciating an enlightened press is too small to support it."[25] He issued a call in the letter for the cooperation of those who felt like him to help found a school free from government control for the liberal education of the middle classes. The school was to

---

[24]Singer, The Effect of the War of 1870, p. 246.

[25]Levasseur, "Boutmy et l'ecole" 21:145. See also Bellessort, Les intellectuels, p. 72, and Digeon, La crise allemand, p. 75.

have "a historical and critical character rather than a dogmatic one."[26] He acknowledged that democracy was a permanent force in France; fully accepting that condition, he argued that any progressive society must submit to "the authority of the mind and government by the best."[27] In a later report presented to an international conference on education at London, he argued that just as France trains engineers, lawyers and doctors, she should also train political men because even though the art of governing is a "gift of Providence," a human element of that art had still to be mastered.[28] As much as for the statesman, however, he felt the need for educated officials, the immediate subordinates of the statesmen and an educated middle class able to guide public opinion. The officials need to be delivered from a narrow, bureaucratic mentality and the middle classes need to understand that simplicity and logic are foreign to the workings of government; he saw this as necessary for the stability of a democratic society.[29] The report listed accordingly a three-fold aim of the school.

---

[26]Levasseur, "Boutmy et l'ecole" 21:145.

[27]Ibid., p. 146.

[28]Émile Boutmy, "On the Paris Free School of Political Science," Proceedings of the International Conference on Education, ed. Richard Cowper (London: William Clowes and Son, 1884), 3:409.

[29]Ibid.

1. To train political men armed more especially with the positive knowledge which they may require when in Parliament, or in power.

2. To train civil servants more capable of taking a comprehensive view of things, and avoiding routine.

3. To develop in the middle classes a proper understanding of public interests, and a knowledge of the conditions under which government is carried on.[30]

Consistent with Taine's fears of educational institutions under the direction of a centralized state, Boutmy's school was to be free of state control. He felt that the state could never support a particular type of political thought without arousing a storm of opposition from other political groups. Thus any school of political science supported by the state would be curbed and restrained in some way with a resulting loss of free and independent inquiry; Boutmy had in mind not only his general principles of education free of state control, but also the experience of the Ecole nationale d'administration of 1848 which had collapsed as a result of the internal bickerings of the Second Republic and the opposition of the law faculties.[31] To

---

[30]Boutmy, "On the Paris Free School of Political Science," 3:413.

[31]Ibid. Foville, Notice historique, p. 17; Felix Ponteil, Histoire de l'enseignement en France: les grand étapes, 1798-1964 (Paris: Sirey, 1966), p. 227; Ezra N. Suleiman, Politics, Power and Bureaucracy in France: The Administrative Elite (Princeton: Princeton U. Press, 1974), p. 95; André Bertrand, "The Recruitment and Training of Higher Civil Servants in the United Kingdom and France," The Civil Service in Britain and France, ed. W. A. Robson

avoid such problems he established his school independent of the state and declined later overtures of the government for state sponsorship. There was, however, close cooperation between the Ecole libre des sciences politiques and the French government as the school grew and expanded. The diploma was recognized by various departments of the government such as the Ministry of Foreign Affairs, the State Railroad Company, the Marine Ministry, the Colonial Ministry, the Civil Service of Indochina, and the like.[32] The diploma did not, however, give automatic admission to a civil service position; the school's graduates had to take exams like other candidates.

Boutmy's enterprise as presented in his introductory pamphlet received public endorsement from Guizot, Laboulaye and Taine in the Fall of 1871.[33] Taine's article was the longest by far; it included a description of the proposed course of study. All three stressed the value of free pursuit of the truth unhindered by vested interests. Taine and

---

(London: The Hogarth Press, 1956), p. 170, n. 1.

[32]Levasseur, "Boutmy et l'ecole" 21:167.

[33]All three endorsements were published in full in the introduction of the short history of the school published at the instigation of the administrative council in 1897, the year of the institution's twenty-fifth anniversary. See L'Ecole libre des sciences politiques, 1871-1897 (Paris: Cahmerot et Renouard, 1897), pp. 20-34. Guizot's and Taine's endorsements were published originally in the Journal des débats. It is unclear where Laboulaye's was published.

Guizot both stressed the need for a scientific study of the social and political order similar to the methods used in the natural sciences. Laboulaye expressed confidence that the youth of France would respond to the call to raise up once more the beloved fatherland. Undoubtedly Boutmy was delighted by the testimony of men so prominent as these. It would certainly be a powerful help in raising funds and recruiting staff and students for his new effort.

On such a basis then, the Ecole libre des sciences politiques became a reality. The by-laws were notarized on December 2, 1872.[34] It took some time to complete the formal organization. The school was finally chartered with a capital of 200,000 francs. An Administration Council was set up under Edouard André; this council then authorized a committee to handle certain kinds of current business in its name.[35] Taine served on the latter committee as well as on the Administrative Council until his death.[36]

The curriculum underwent several changes during the life-time of Boutmy. In 1884, at the International Conference on Education, he reported a curriculum organized in four sections: administrative, economic and financial, diplomatic, public law and historical.[37] Each section was

---

[34]Levasseur, "Boutmy et l'ecole" 21:147.

[35]Ibid., p. 150. [36]Ibid., n. 1.

[37]Émile Boutmy, "On the Paris Free School of

meant to train a different type of public servant, the last section being the most comprehensive and varied. By the time of his death in 1906, an economic and social section had been added to the above four.[38] The proposed first list of courses reveals a general historical emphasis, obviously reflecting his personal intellectual development and methodology. Already by 1873, however, a more technical emphasis was added. Against the criticism that the school would degenerate into a professional institution designed to prepare its students for government exams, Boutmy argued that pure, isolated science had to be balanced by professional education, a necessary mixture proven by experience.[39] The heart of the matter seems to be, however, that the addition of the professional emphasis was the factor that caused the school to stabilize and the enrollment to grow, in spite of the fact that tuition doubled.[40]

A few statistics help to illustrate the success of the school during Boutmy's lifetime. Between 1875 and 1878 fourteen out of eighteen candidates received by the State Council and fourteen of eighteen received by the Ministry of Foreign Affairs were alumni of the Ecole libre des sciences politiques.[41] In the first twenty-five years of existence

---

Political Science," 3:141.

[38]Levasseur, "Boutmy et l'ecole" 21:154, n. 4.

[39]Ibid., p. 151. [40]Ibid., p. 152. [41]Ibid., p. 153.

the enrollment grew from ninety to four hundred and eighty-six.[42] The number of foreign students was maintained at fifteen to eighteen percent of the total enrollment.[43] The presence of foreign students was always gratifying to Boutmy for the interchange between them and the French students helped to achieve precisely what he sought in his comparative political studies.

Besides Taine, Guizot and Laboulaye, many nationally prominent scholars and intellectual elite of France had connections with the school at one time or another. Albert Sorel and Paul Leroy-Beaulieu were both young men when they made their teaching debut at the school in 1872 under the recruitment and direction of Boutmy.[44] It was their teaching

---

[42]Levasseur, "Boutmy et l'ecole" 21:161.

[43]Ibid.

[44]Ibid., p. 148. Albert Sorel (1842-1906) served France on the staff of the Foreign Office, 1866-1876, then became secretary of the president of the Senate, 1876-1901. He made his greatest reputation, however, as historian, his greatest work being an eight volume study of the diplomatic aspect of the French revolution, L'Europe et la revolution francaise. It was the opportunity given at Boutmy's school that really opened up his career as historian. La grande encyclopedie, n.d., s.v. "Sorel, Albert;" G. P. Gooch, History and Historians in the Nineteenth Century (1913; reprint ed., Boston: Beacon Press, 1959), pp. 233-36; Émile Boutmy, "Albert Sorel," Études politiques (Paris: A. Colin, 1907), pp. 187-214. Paul Leroy-Beaulieu (1843-1916) was to become one of the outstanding representatives of classical liberalism of France. He was editor of the Journal des débats when Boutmy offered him the chair of public finance which he accepted in 1872. In 1873 he founded the Économiste francaise and served as its editor until his death. In 1880 he accepted

at the School which formed the basis of their first books on diplomatic history and public finance respectively. Paul Janet and Émile Levasseur brought to the school in its first year the prestige of their own proven reputations.[45] Although both were chiefly associated with other institutions, they continued to teach courses at various times at the Ecole libre des sciences politiques, Janet until 1881 and Levasseur until 1901.[46] Alfred de Foville, who delivered the formal eulogy on Boutmy in the name of the faculty, came to the school as a replacement for Paul Leroy-Beaulieu in

---

the position of political economy at the College de France. His chief work, the Traite de la science des finances, was noted for the rigor of its method and was for a long time the leading work on public finance. He was a strong partisan of representative government. La grande encyclopedie, n.d., s.v. "Leroy-Beaulieu, Paul."

[45]Levasseur, "Boutmy et l'ecole" 21:149. Paul Janet (1823-1899) was a well-known French philosopher and historian. He wrote a number of important political, philosophical and historical studies. Among them are Histoire de la philosophe morale et politique, Principes de metaphysique et de psychologie, and Les causes finales. In 1864 he was appointed professor of the history of philosophy at the Sorbonne. La grand encyclopedie, n.d., s.v. "Janet, Paul," 20:1200. Pierre Émile Levasseur (1828-1911), an economist and historian was chiefly associated with the College de France, beginning in 1868 as a teacher of economics and since 1872 as professor of geography, history, and economic statistics. He was the first to apply the historical method to the study of economic phenomena. His chief work was Histoire des classes ouvrières en France depuis the conquête de Jules Cesar jusqu'a la Révolution. See above, n. 4.

[46]Levasseur, "Boutmy et l'ecole" 21:148, ns. 4 & 5.

1880.[47] He taught public finance and remained active in other aspects of the school's life during Boutmy's lifetime. Leon Say, Minister of Finance in the early years of the Third Republic, added considerable excitement to the life of the school in 1884-1885 with a series of seminars on state loans and credit.[48] In 1892, Boutmy recruited Élié Halévy, then only twenty-two years old, to teach a course on the evolution of political ideas in England. Halévy later added a course on socialism and taught the two courses on alternate years, continuing his connection with the School throughout his life.[49] More names of French public figures associated with the school could be cited but even this much illustrates

---

[47]Levasseur, "Boutmy et l'ecole" 21:155. Alfred de Foville (L942-1913), French economist and statistician, held various posts in the conseil d'Etat and in the Department of Finance. He reorganized the statistical service of the Department of Finance in 1877 and was very active in the development of statistical analysis in French public life, including the publications of books and mongraphs. La grande encyclopedie, n.d., s.v. "Foville, Alfred."

[48]Levasseur, "Boutmy et l'ecole" 21:155. Leon Say (1826-96) was more of a political figure than an economist, but as the Minister of Finance under Thiers who chiefly managed the liquidation of the war indemnity to Germany, he must have given considerable boost to the prestige of Boutmy's school. His economic position was that of a middle of the road liberal. He wrote for the free exchange of goods between nations and against socialism. La grande encyclopedie, n.d., s.v. "Say, Leon."

[49]Levasseur, "Boutmy et l'ecole" 21:160, n. 1. Halévy is chiefly known for his six volume A History of the English People in the Nineteenth Century which stresses the view that it was above all the influence of the evangelical revival that prevented a profound social upheaval in England

how closely the life of the School was intertwined with many of the public figures of Boutmy's day. Something of the importance of the School can also be seen in the fact that of forty members of the administrative council in 1905-6, at the time of Boutmy's death, eight were members of the Institut de France, one of the greatest academic honors in France, and eleven of the fifty-six faculty were also members of the Institute; in the light of that trend, some have claimed that the "Ecole libre des sciences politiques had become the vestibule of the Institut."[50]

Boutmy himself received several important honors for his educational leadership and his writings. On June 5, 1880, he entered the Institut de France, elected as a free member of the Académie des sciences morales et politiques. The honor at that time was based on his work as founder of the Ecole libre des sciences politiques for he had as yet only published his Philosophie de l'architecture en Grèce.[51] Later, in 1898, he replaced Leon Say in the Academie as a member of the free academicians on the basis of his historical and political writings.[52] For his writings on English

---

during the Napoleonic era. Halévy came from a family in which French protestantism and French liberalism were united. Catherine H. Smith, "Elie Halévy," Some Historians of Modern Europe, ed. Bernadotte E. Schmidt (Chicago: The University of Chicago Press, 1942), p. 152.

[50]Levasseur, "Boutmy et l'ecole" 21:162.

[51]Ibid., p. 168. [52]Ibid., p. 172.

political traditions Oxford University conferred on Boutmy the honorary degree of Doctor of Civil Law.[53]

Boutmy's conceptions of the needs of his nation led him further into two other areas of service. Out of the School and as an extension of its education came a new scholarly review, the Annales des sciences politiques. At first, the publication was group edited and confined in its influence mostly within the circles of the Ecole libre des sciences politiques. In 1899, the review was chartered with an editorial staff of professors and the format was enlarged to consider contemporary social, political and economic issues.[54] Beyond this work in his own school, Boutmy actively promulgated his ideas on education in the public arena. In 1878, along with G. Monod, L. Pasteur, N. Fustel de Coulanges, H. Taine, E. Lavisse and others, he helped found the Société de l'enseignement supérieur whose purpose was directed toward educational reform; the society's journal was the Revue internationale de l'enseignement which eventually became the leading forum for discussion of educational reform.[55] In 1886 Boutmy was president of the Société.[56] In

---

[53]J. E. C. Bodley mentions this in the introduction of Boutmy's book, The English People, A Study of Their Political Psychology (New York: G. P. Putnam's Sons, 1904), p. v. French sources do not mention this honor.

[54]Levasseur, "Boutmy et l'ecole," 21:159.

[55]Ibid., p. 169. [56]Ibid.

his role of educational reformer, he participated in several international conferences, and wrote a number of short works on education. In general he agreed with other educational reformers of the post-war period that the higher education of France was too cramped and fragmented in the university system, but he did not agree with those who found the ideal model in Germany. The cultural differences were too great to allow a direct adoption of the German system. On the secondary level he felt that the baccalaureat was too rigid, too much oriented toward civil service and the rote memorization of facts necessary to pass the required tests. Secondary education should mold and sharpen the mind, not stuff it with facts. His general position regarding French education was to seek more flexibility and more freedom for a variety of schools to train the student to become a thinking individual rather than a narrowly trained civil servant.[57] It was within that same orientation that his school was to play its role.

Boutmy was basically an academician and educator. Though he was deeply concerned with political psychology and

---

[57]Levasseur, "Boutmy et l'ecole" 21:170. For an idea of the direction of Boutmy's ideas on education, see Quelques observations sur la réforme de l'enseignement supérieur (Paris: Germer Baillière et C^ie, 1876); "Le Baccalauréat et L'enseignement secondaire," Litterature et conférences populaire, ed. Paul Crouget (Paris: A. Colin et C^ie, 1897); L'enseignement secondaire et le régime de nos lycées (Paris: Lahure, n.d.).

political theory, his active involvement in public affairs lay in the domain of educational reform, not in politics. He felt that France would be benefitted more by training political leaders and civil servants than by his involvement in the daily issues of political life. There was one political crisis, however, which no sensitive Frenchman could ignore--the Dreyfus case. Eugene d'Eichthal reported that Boutmy was "profoundly shaken to the roots of his being by the great drama of the Affair."[58] Though his own published writings do not deal with the question, he joined his name to those of other intellectuals and artists of the Institut de France such as Ernest Lavisse, Anatole France, H. Carnot, Anatole Leroy-Beaulieu, Claude Monet, Adolphe Aulard and twenty-seven others who called for justice on behalf of Dreyfus and his supporters.[59]

At the same time that the School was becoming increasingly successful and as his reputation as a scholar was growing, Boutmy's private life was becoming more and more difficult. His wife's physical frailties made it impossible to gather his friends at his home as they had formerly done.[60] His own eyesight had been weak for a long time; by

---

[58]Quelques ames d'elite: esquisses et souvenirs (Paris: Hachette et Cie, 1919), p. 133.

[59]Joseph Reinach, Histoire de l'affaire Dreyfus, 7 vols. (Paris: Fasquelle, 1901-1908), 4:391, n. 2.

[60]Levasseur, "Boutmy et l'ecole" 21:177.

1895 he needed aid for his writing and for every lecture.[61] He was reduced virtually to listening and dictating. In 1895 his wife died. His greatest pleasures in his last years came from his associations with his friends in the School and the Institut. He died January 25, 1906.

Boutmy's founding of the Ecole libre des sciences politiques and its journal, the Annales des sciences politiques was part of a broader movement in France rising out of the differentiation of the social sciences with a resultant need to erect the institutions and organs of education and communication required by the new disciplines.[62] This process was, of course, made more urgent by the psychological shock of 1870 and the call for the reform of various aspects of French society, especially that of education. A third factor that entered into the educational situation within which Boutmy worked was the highly centralized, state-controlled nature of the French educational system.[63] The Ecole pratique des hautes études provides an early example of a school created to meet new needs in the face of entrenched tradition. It was created in 1868 primarily by the Minister of Education, Victor Duruy, to foster research

---

[61]Foville, Notice historique, p. 32.

[62]Clark, Prophets and Patrons, pp. 9-10.

[63]Ibid., pp. 18-20; Suleiman, Politics, Power, and Bureaucracy in France, p. 19.

training.[64] The history and philology section took the German seminar as its chief model; young Gabriel Monod, just back from Goettingen, was responsible for the early organization of the history section. Out of the inspiration of this school came the Revue historique in 1876, a historical journal modeled after the Historische Zeitschrift. Other journals and new learned societies followed.[65]

Boutmy's foundation arose in the same environment of the emerging social sciences, of the same desire to strenthen France vis-a-vis her European neighbors, and the same need to by-pass the entrenched, rigid educational system.[66] The difference was that he strongly believed in complete freedom from any kind of state control. It was not only rigid, centralized control that he feared but also the jealous watching of political parties who feared where political theory might lead an institution. The temptation would always be to insist on ideological conformity of any school under its control. The conviction that men could be trained in the science of government, that such a training should be a broad, liberal one, and that the French must know the political traditions of other countries as well as her own comes

---

[64]Clark, Prophets and Patrons, p. 43; J. W. Thompson, History of Historical Writing, 2:267.

[65]Clark, Prophets and Patrons, p. 272, ns. 13 & 14.

[66]Gabriel Monod, "Necrologie: Émile Boutmy," Revue historique 90(Janvier - Avril, 1906):352, n. 1.

through the various testimonials to Boutmy's work again and again.[67]

The School continued to flourish after Boutmy's death. In fact it rather quickly acquired a de facto monopoly in the training of upper echelon civil servants of the state bureaucracy.[68] In that regard Suleiman provides a helpful statistical table:[69]

Table 2.1

Recruitment into the Grands Corps from the Ecole Libre 1901-1935

Corps	Total Number Admitted	Attended Ecole Libre	
		No.	%
Inspection des Finances	232	228	98.4
Counseil d'Etat	122	119	97.5
Cour des Comptes	101	88	87.0
Diplomatic Corps	285	250	87.5
Total	740	685	92.5

[67]Anatole Leroy-Beauleiu, "Discours prononces a l'inauguration du monument élève a la memoire d'Émile Boutmy le 12 Janvier, 1908," Annales des sciences politiques 23(1908): 4; Lucien Levy-Bruhl, "Émile Boutmy," La Revue de Paris 1(Fevrier, 1906): 797; M. Gebhart, "Discours," Funérailles de M. Émile Boutmy, (Paris: Institut de France, 1906), p. 2; Andre Lebon, "Un Historien constitutionnel: M. Boutmy," Revue internationale de l'enseignement 15(1888):360.

[68]Bertrand, "The Recruitment and Training of Higher Civil Servants," p. 172.

[69]Suleiman, Politics, Power and Bureaucracy in France, p. 48.

Moreover, most of the candidates for the Grand Corps examinations trained by the Ecole libre belonged to the upper and middle bourgeoisie. Boutmy had succeeded, probably beyond his wildest dreams.

That exclusiveness, however, was the very factor that finally ended the independence of the school. In 1945 the school was nationalized and democratized, becoming the Paris-based school in a network of similar, provincial institutions, the desire being that civil servants should come from every region and every class in France.[70] The school was then renamed the Institut d'etudes politiques. Ironically the Paris branch of the new system continued to dominate the training of higher civil servants even after nationalization.[71]

The actual effect of the work of the Ecole libre's graduates in the government of France is difficult to determine. If, as Bertrand argues, the core of the modern state is the bureaucracy and if "the Executive must be able to rely on a body of permanent civil servants equipped with a broad and sound education, properly selected, well trained and adapted to their important and difficult jobs," then Boutmy's school with its monopoly of such training played

---

[70]Suleiman, Politics, Power and Bureaucracy in France, p. 49.

[71]Ibid., p. 54, table 2.2.

an important role in French government.[72] It is in that light that Chastenet's testimony concerning the school must be understood.

> Its object was to secure . . . the formation of cadres of high administration in a France which remained bourgeois and liberal but which had become positive and serious. It was clearly to attain its goal: The Third Republic owed much of its stability--stability long maintained in spite of political agitation--to the graduates of the rue de la Guillaume. Until after the triumph of radicalism, these graduates, of whom the most brilliant representatives replenished the great bodies of state, perpetuated at the height of the regime something of the applied and conscientious spirit which marked the national assembly.[73]

Boutmy's most important personal and intellectual contacts and the emphasis of his school clearly place him within the context of the French liberal tradition of the Nineteenth Century. Taine, Guizot and Laboulaye--the three who publicly endorsed the founding of the Ecole libre--were prominent spokesmen for French liberalism. As noted earlier, Boutmy had close contacts with Prevost-Paradol in his days

---

[72]Bertrand, The Recruitment and Training of Higher Civil Servants, p. 170.

[73]Jaques Chastenet, Histoire de la Troisième Republique, 7 vols., (Paris: Librairie Hachette, 1954), 2:22. See also the testimonial of Andre Siegfried pronounced at the commemoration of the fiftieth anniversary of the deaths of Émile Boutmy and Albert Sorel. Discours (Paris: R. Foulon, 1956), p. 17. For related studies on governmental stability, see E. M. Suleiman, "The French Bureaucracy and its Students: Towards the Desanctification of the State," World Politics 23, No. 1 (1970):121-170, and Jacques Olle-Laprune, La stabilitie des ministres sous la troisième republique (Paris, 1962).

as journalist for the Presse.[74] Paul Janet, Paul Leroy-Beaulieu and Élie Halévy, all of whom Boutmy recruited for the school were prominent liberals of the Third Republic.[75] Furthermore, the Académie des sciences morales et politiques, which Guizot had founded and to which Boutmy was elected, had a characteristically liberal membership for much of the Nineteenth Century.[76] Boutmy valued his contacts there very highly.[77]

The chief emphasis of Boutmy's educational work also reveal liberal thinking. The Société de l'enseignement supérieur, on which he served and of which he was president, worked toward reform of the university system in the direction of decentralization and greater autonomy for the professors, both goals consistent with liberal thinking.[78] In the case of the Ecole libre, Boutmy's historical orientation, even after he added more professional courses, and his insistence that his school remain free, both reveal his liberal bias.[79] It is impossible at this point to assess

---

[74]See above, p. 6.

[75]Guido de Ruggiero, The History of European Liberalism, trans. R. G. Collingwood, (Boston: Beacon Press, 1959), p. 206.

[76]Clark, Prophets and Patrons, p. 57.

[77]Foville, Notice historique, p. 33.

[78]Clark, op. cit., p. 29.

[79]Levy-Bruhl, "Émile Boutmy," p. 797. See also

further or evaluate his political thinking. For that a close study of his writings is necessary and such is the task of the remainder of this study.

It is clear from even this brief sketch of Boutmy's life that he moved within a circle of highly placed intellectual leaders and civil servants of his day; the support he received in the foundation and work of the school indicates his acceptance by his intellectual peers and his election to the Institut de France reveals the esteem with which they regarded him, both in his educational role and with respect to his studies in political psychology. An elucidation of his writings then will help to open up an important part of the intellectual life of the Third Republic and the ideological framework within which the education provided by the Ecole libre des sciences politiques took place in the first several decades of its existence.

Boutmy's letter to Ernest Vinet, L'ecole libre sciences politiques, p. 21.

CHAPTER II

THE NEW METHODOLOGY

To educate the young democracy of France toward political maturity--this was the avowed goal of Émile Boutmy. The task was one to stagger the mind, especially since Boutmy believed, along with Taine, that man was primarily motivated by his animal passions and that to achieve a stable rationality was a long and arduous task. One reason that Boutmy could approach that task with a degree of confidence was his belief in the validity and value of the methodology which Taine had been developing as a basis for his literary criticism. This was the second major intellectual legacy passed on from Taine to Boutmy, the first being his political philosophy as outlined briefly in the previous chapter. Although his Philosophy of Art was his chief work in aesthetic criticism, it was in his famous introduction to the History of English Literature that Taine outlined his new methodology; it was to provide the basis for understanding the essential character of a people and for providing the necessary insight for the analysis and critical evaluation of their literature.[1]

---

[1]In addition to those studies of Taine already

It was fundamentally that same approach with some adjustments that Boutmy utilized to study the political psychology of the Anglo-Saxon peoples, a study whose purpose was to broaden and deepen the political knowledge of the French and help bring some stability to the troubled Third Republic. It was within the same framework that he conceived and founded the Ecole libre des sciences politiques, though there is no evidence that he ever sought to require a subscription to that methodology from the various scholars who taught there.

Taine had emphasized that the goal of the investigator was the inner character, the soul, the "psychology" of either an individual or a people. It was possible, he held, to reveal the character of that inner soul by a careful analysis of a nation's monuments--its creeds, legislation, language, architecture, literature and other social products. While the investigator's eyes "read the text, his

---

listed on p. 10, n. 19, the following are helpful for an understanding of his critical method: Emile Faguet, Politicians and Moralists of the Nineteenth Century (Freeport, New York: Books for Libraries Press, 1970), pp. 207-264; Irving Babbitt, The Masters of Modern French Criticism (New York: Farrar, Straus, and Co., 1963), pp. 218-257; C. A. Sainte-Beuve, Essays, trans. Elizabeth Lee (London: Walter Scott, 1892), pp. 228-265; Martha Wolfenstein, "The Social Background of Taine's Philosophy of Art," Journal of the History of Ideas 5(June, 1944):332-358; W. H. Rice, "The Meaning of Taine's Moment," The Romanic Review 20(February, 1939):273-279. For a helpful bibliography of Taine's works listed in chronological order with biographical notes see Sholom Kahn, Science and Aesthetic Judgement, pp. 247-261.

soul and mind pursue the continuous development and the ever-changing succession of the emotions and conceptions out of which the text has sprung."[2] Boutmy saw great value in Taine's method for his political studies; in the latter's approach there is posited an intimate, organic connection between the political system and traditions and the psychology of all peoples. A grasp of a people's psychology thus provides the key to an understanding of their politics and the means of dealing successfully with them.

Not only was it a useful key but it went even further for Taine; he viewed even the moral qualities of men deterministically.

> Is Psychology only a series of observations? No; here as elsewhere we must search out the causes after we have collected the facts. No matter if the facts be physical or moral, they all have their causes; there is a cause for ambition, for courage, for truth, as there is for digestion, for muscular movement, for animal heat. Vice and virtue are products, like vitriol and sugar; and every complex phenomenon arises from other more simple phenomena on which it hangs. Let us then seek the simple phenomena for moral qualities, as we seek them for physical qualities . . . . There the search is at an end; at conscience, the root of morality, we have arrived at a primitive disposition.[3]

The influence of Taine on Boutmy can be seen in his approach to the English for he believed that there was an inner, or inherent, spontaneous quality that is with the Englishman

---

[2]Hippolyte Taine, History of English Literature, trans. H. Van Laum (New York: John W. Lovell Co., 1873), p. 19.

[3]Ibid., p. 21.

wherever he goes, "a secret reason for his resolutions, the key to many of his actions, fulfilling in every circumstance the duties of an omni-present, unrelaxing motive power."[4] This aspect of the psychological method raises the prickly problem of moral determinism, a matter to be discussed below, but if one accepts the basic premise, the attractiveness of the method is clear. Behind the externals of Anglo-Saxon politics there is a unifying, explanatory principle. All that is requisite is proper use of the research tools.

Boutmy nowhere systematically elucidated his own methodology, but he did indicate its application to the Anglo-Saxons, both English and American, clearly revealing his indebtedness to Taine. On some points he specifically and consciously differed from his master, but there is no doubt as to his discipleship.

Taine believed that the primitive disposition, the goal of the historian-scientist, was formed by three factors of historical determination--race, milieu, and moment. Correct assessment of those factors in their formative interplay upon a social group would lead the investigator to the inner disposition. Boutmy basically studied the Anglo-Saxons in terms of race and milieu; though never specifically

---

[4]The English People: A Study of Their Political Psychology, trans. E. English (New York: G. P. Putnam's Sons, 1904), p. 11.

rejecting moment, he makes no use of it in his analysis, perhaps sensing the difficulty in the use of the concept. Taine had often used the notion ambiguously, sometimes in the sense of epoch, in a discontinuous sense, other times in the sense of history or tradition, continuous and cumulative.[5] In the final analysis, Taine's use of moment has little content other than that of race and milieu of the moment and the term becomes confusing and unnecessary.[6] Boutmy worked only with race and milieu, thus avoiding one difficulty of Taine.

His concept of race, modeled on that of Taine, was central to his methodology. Taine had defined race as the "innate and hereditary dispositions which, as a rule, are united with the marked differences in the temperament and structure of the body."[7] Taine went on to argue, however, that acquired characteristics are inherited, thus man's race was the result of a series of adjustments to external circumstances as well as an innate disposition.[8] By including in his concept of race a series of acquired characteristics Taine rendered his definition extremely ambiguous for race

---

[5]Kahn, Science and Aesthetic Judgment, p. 109.

[6]See W. H. Rice, "The Meaning of Taine's Movement," 273-279.

[7]History of English Literature, p. 23.

[8]Ibid.

no longer refers to an innate disposition entirely independent of environment. It is difficult, therefore, finally to define race in any definitive way because it is always undergoing a process of evolution.

Boutmy's criticism of Taine's view of race provides an important clue to his own definition. He charged that several of Taine's disciples had used the concept in a very static manner, conceiving of it as "an anti-historical element which, history once begun, continues to exist without submitting to changes, and to which the course of national life no longer adds anything."[9] He maintained that race is subject to later influences which have very determined ethnic consequences and that some of Taine's disciples had limited race too much to the distant past. For Boutmy, the Great Reform of 1832 and the industrial revolution both had an impact on the English of such magnitude as to bring about a fundamental shift in attitudes, thus bringing about the recreation of a new race, just as much as that which occurred in the Saxon and Danish invasions.[10] Later, in his psychological study of the English, he faulted Taine himself for an inadequate use of the concept of race; Taine had falsely separated race from milieu in writing of prehistoric tribal groups. At that time in the development of mankind,

---

[9]Taine, Scherer, Laboulaye, p. 11.

[10]Ibid., p. 12.

race was simply the product of natural phenomena which had not yet hardened into anything lasting.[11]

Boutmy's criticism of Taine reveals that he did not regard race as an innate quality given once for all; he connected it closely to environment from the beginning of man's social life. In the early days of a people, race was simply the product of the natural environment fixed sufficiently to take on a certain character. When commenting on the intellectual characteristics of the English his definition of race is clearly revealed:

> The intellectual type of a race is, in the beginning, the product of the natural environment; afterwards it is chiefly the product of the slowly progressive human environment--a compound of mental habits which become fixed, sustained and inveterate by the continuous circulation of certain modes of thought, reasoning, and feeling.[12]

For Taine and some of his disciples race was an innate quality in encounter with the environment; the interplay of these two was what made the national type along with the impact of the momentum. For Boutmy race was never anything more than a certain fixed complex of qualities derived from one's environment, both natural and human. Therefore, in his work on the English, his study of the national type started with the influence of the physical environment. His conception of race further allowed him to posit radical

---

[11]The English People, p. 3.

[12]Ibid., p. 59.

change in race due to the impact of major change in either natural or social environment. The net effect of his position is to wipe away all content from the concept of race. At any given moment race is really the cumulative effect of one's total environment. Although he continued to use the term race in his writings, it is really only the effect of milieu which he saw as the dominant force shaping a civilization. In that sense he was more consistent than Taine whose concept of race was too ambiguous to be of much value; on the other hand, his use of the term is somewhat deceptive because common usage generally signifies innate and enduring qualities.

Boutmy posited two kinds of milieu--the natural or physical environment and the human environment. The impact of these two forces acting on a society at any given time is what determines its characteristic psychology. Of the two kinds of environment, it is the natural which has the greatest formative power because its influence goes back as far as mankind and is constant with very little variation.[13] The natural milieu thus created in early peoples a certain character which he calls race. That character is not, however, a permanent or innate quality.

> The monuments of a people were, even in the beginning, the products of a physical environment, and it was in

---

[13]Boutmy, The English People, p. 4.

> the course of time only that, having acquired consistency and individual entity, they themselves became capable of engendering impressions and modifying the effects of the great natural influences. But the great natural influences continue to exist, and enclose on every side the human society which they initiated. Even now, by the force of their number and unchangeable nature, they perpetuate and recreate, after a momentary effacement, the deeply scored characters and hereditary marks which they stamped upon the first generations in their beginnings.[14]

Thus one might legitimately speak of the natural environment as a first cause, the effects of which are more enduring and more important than any other factor.

In England the physical environment produced its strongest and most lasting impact through climate. The heavy, moist climate makes breathing difficult and the body correspondingly needs much exercise.[15] The soil is fertile but requires untiring labor in drainage and reclamation before it yields its great rewards.[16] Thus in England the physical environment demands vigorous, unceasing activity and in the Englishman the desire for action has acquired the characteristic of an inherited instinct, an attribute which has become a motive power and a key to the understanding of the nation.[17]

The climate has also had a striking impact on the mental faculties of the English. With their atmosphere bathed in perpetual moisture, the English experience

---

[14]Boutmy, The English People, p. 4.

[15]Ibid., p. 6. [16]Ibid., p. 7. [17]Ibid., p. 11.

sensations far more slowly, their impressions and perceptions are less numerous and acute, and their ability to consciously visualize sensations is lethargic and dull.[18] One result is that the few, highly gifted of England turn inward, feeding upon a world of spiritual impressions while the masses turn away from reflection to action. Another result of the physical environment is that the English lack a strong faculty for abstraction. The power of abstraction requires a climate where the sun is strong, and where impressions are infinite, so that differentiation and abstraction are possible.[19] With the Englishman, the rarity and indefiniteness of mental impressions prevent the formation of an organized group upon which a great, abstract structure could be built.

The profile of the English soul that emerges from Boutmy's study of the physical environment is aptly summarized as follows:

> The intensity of his material wants, the rich promise of his country's soil, the facilities arising from its geographical position, all the consciousness of wealth and power, create for the Englishman an ideal within reach of his eyes and hands, and urge him to unceasing activity. He has not time to follow vain phantoms; they are too far removed from earth, too alien to life here below, to its conditions and necessities. Naturalism and metaphysics kept at a distance, or used merely as a background for the perpetually moving human

---

[18] Boutmy, The English People, p. 12.

[19] Ibid., p. 15.

> microcosm, sink to the level of religion, and religion that plays the part of a trusted guide, especially esteemed for its common sense--magister vitae. Even in matters of faith the Englishman hardly gets beyond the horizon of the circumstantial psychologist and moralist, of the earth, earthy. He is in no sense a pantheist, a mystic, or a skeptic.[20]

The sketch above illustrates his methodological approach to race and physical environment. In the early life of the English, physical environment created a complex of qualities which became fixed by inheritance--race. He continued to speak of the English in his political studies in terms of their character as described above, thus testifying to the enduring character of the early impact of physical environment. That early and constant influence of the physical environment was never wholly erased, although it is modified by factors operating in the human environment.

The human environment, for Boutmy, was made up of "the collection of peoples around each man," that is, all those other races surrounding any given people with whom there is cultural intercourse or other kinds of direct contact.[21] Since it is the physical environment which creates the race in the first place and since the physical environment remains constant and reinforces its early influences, the most important cause working further to mold a people is contact with another people whose civilization has developed

---

[20]The English People, p. 22.

[21]Ibid., p. 57.

elsewhere under totally different conditions.[22] Historically, in the case of the English, it was a series of invasions which brought about this kind of cultural intercourse. Thus to understand the modern English, one must study the nature of the impact and the character of the racial fusion which followed the successive invasions of the Angles, Saxons, Jutes, Danes and Normans.

There were other influences at work in England which he really could not attribute to human environment as he defined it, which yet had significant roles in modifying the English. In this category are historical influences such as the change from a commercial to an industrial nation, the Protestant Reformation, and the Great Reform Bill. These latter influences Boutmy had difficulty in explaining in terms of his scheme. He recognized the great formative role they played, but they were not due to other races though part of the human environment. He saw truly great changes in the Eighteenth Century due to the impact of the industrial revolution and the Wesleyan revival.

> At the beginning of the century [Nineteenth] the transformation was accomplished; England was a different country, inhabited by a population whose existence had hitherto been unsuspected, and whose position in fifty years had become consolidated even to the shores of the great British Isle. This new England came forward with economic conditions, political pretensions, moral customs, a religious ideal, a conscience and virtues which had hitherto been ignored by the rest of the country:

---

[22]Boutmy, The English People, p. 58.

truly it was a new race grafted on to the old one.[23] Thus the English people have acquired a unique character, a master faculty, from the combined impact of the geographical and human environment. An understanding of those unique psychological characteristics would enlighten the meaning and character of their political traditions and instincts.

It would be difficult to understand his political study without a knowledge of his methodology. He was not content with a narrative of political events and it was his methodology that pushed him to seek a principle of understanding that went beyond the surface phenomena. That desire to penetrate through to the motives and characteristics of political action and thought led to a number of incisive insights on the Anglo-Saxons; there are, however, a number of weaknesses in his studies which arose from his methodology, though he escaped some problems by his perception of Taine's errors and by a more careful use of the method.

Boutmy did recognize that too systematic and too static a use of the method forced reality into a mold which denied natural complexity and that the method focused on being, not on genesis.[24] His definition of race as a constantly changing quality and his emphasis on human, social

---

[23]The English People, p. 90.

[24]Taine, Scherer, Laboulaye, p. 22.

factors such as the industrial revolution and the Protestant Reformation are indications of a more subtle and flexible approach to the whole matter of environmental influence. D'Eichthal testified that in general Boutmy was more concerned with secondary causes than Taine, indicating a mind less driven to formulas which oversimplify the subject matter.[25] Another French reviewer, in general highly favorable, went too far in claiming there was no rigid system, no preconceived ideas in Boutmy, but he does point out accurately that the former corrected the rigid character of the method which Taine had taught him.[26]

He escaped another criticism leveled against Taine in his use of the method. In so far as a social psychology is possible and legitimate, Taine's formula can be discussed and debated, but it runs into trouble with the great individual. His formula requires that the individual be called great because of the degree of conformity to his age, yet that explains only what is common to the great man with others of his time and what he really wants to explain is precisely the artist's originality, uniqueness and genius. Taine's formula is race psychology, but it is often applied

---

[25]Quelques ames d'elite (Paris: Librairie Hachette, 1919), p. 130.

[26]Maurice Caudel, "Analyses et comptes rendus: E. Boutmy, Essai d'une psychologie politique du peuple anglais au XIX^{e} siècle," Annales des sciences politiques 16(1901):261.

to individuals.[27] Boutmy's use was more properly the application of race psychology to the nation's political traditions and behavior. His search was for the characteristic English response, not the distinguishing qualities of the great individual.

A third important difference between Boutmy and Taine lies in their estimation of human rationality and moral virtue. Boutmy maintained that Taine had overreacted to the eighteenth-century's optimistic "empire of reason and common sense" in favor of a pessimistic view of human nature as perverse and degenerate, human society being maintained only through various forms of social pressure.[28] Boutmy admitted that history in various periods seems to support Taine's picture of human nature, but along with the tendency toward perversion there is also a tendency to profit from experience, for the cult of the beautiful and good to take root and grow, even for the individual to create external forces to control himself and others.[29] In another study, he tried, rather vainly, to put Taine's pessimism in a better light by pointing out that since virtue and reason in human society are the results of long and difficult process their

---

[27]Émile Faguet, Politicians and Moralists, p. 228.

[28]Taine, Scherer, Laboulaye, p. 14.

[29]Ibid., p. 15.

appearance is all the more noble.[30] In this regard, Irving Babbitt pictures Taine as a disillusioned Romanticist who really loved unchecked spontaneity but could not reconcile his ideal with the materialistic world of literal fact: "Nature was no longer the kind of mother that she had been for Wordsworth and Lamartine . . . but a collection of inexorable laws."[31] Babbitt's analysis sheds light on the fact that Taine's pessimism was not just due to the defeat of 1870 but was of a philosophical character. Taine would repudiate the label of either optimist or pessimist. He was simply a scientist, he would explain, and the only proper response was that of the stoic.[32] Boutmy's intuitive response to life was different, more optimistic; he stopped short of the logical conclusions of the method he adopted from Taine. If the individual can create external forces for social control, determinism no longer has the last word.

Boutmy's more flexible and more proper use of Taine's method did not, however, enable him to escape all of its liabilities. His attempt to use geography, especially climate, as the determining factor in formation of the English psychology led to serious problems in his analysis. In

---

[30]"Albert Sorel," Études politiques (Paris: A. Colin, 1907), p. 198.

[31]Babbitt, The Masters, p. 233.

[32]Ibid., p. 240

the first place he offered no proof nor did he attempt to show how a misty landscape actually results in fuzzy perception or a lack of the ability of abstraction. If, in fact, the English do have a penchant for abstraction, the connection with the landscape has yet to be successfully demonstrated.

The social sciences such as anthropology, sociology, and political science were emerging as distinct scientific disciplines in the very period when Boutmy was writing. He thought and wrote in the midst of a great many theorists who stressed the impact of geographical influences on human society.[33] With the advance of the social sciences since that era his brand of geographical determinism which ascribes inherited mental and social traits to physical environment is now almost completely rejected.[34] Modern theories generally conceive geographical agents more as conditioning agents than as determinants, while man and his culture are seen more as the dynamic and determining factors.[35]

---

[33]See Pitirim Sorokin, Contemporary Sociological Theories Through the First Quarter of the Twentieth Century (New York: Harper and Row, 1928 and 1956), p. 100.

[34]Franklin Thomas, The Environmental Basis of Society: A Study in the History of Sociological Theory (New York: The Century Co., 1925), p. 6; Sorokin, Contemporary Sociological Theory, p. 131.

[35]Thomas, The Environmental Basis of Society, p. 314.

A second major problem involved in his methodology was the quest for the master faculty, a process which resulted in considerable oversimplification and a concentration on only those traits which fit the method. Thus the English emerge as possessing a master faculty consisting of two primary traits: (1) an inability for abstract thinking, and, (2) a love of action for its own sake. This primary disposition of the English he believed to be the result of geographical influence. It is precisely at this intersection of geographical determinism with master faculty that his method is weakest. In an illegitimate kind of post hoc, ergo propter hoc reasoning Boutmy connected the two and then went on to oversimplify English motives and history on the basis of his psychological method. The many insights his work does offer into English character and English politics are chiefly the result of his shrewd observation and careful study rather than his method.

Several examples will help to illustrate the point. According to Boutmy, English philosophy was predisposed to turn away from metaphysics and found Comte to its taste, Wordsworth and other Romantic poets typically reflect

---

See also Sorokin's summary concerning geographical factors, Contemporary Sociological Theory, p. 137. For more recent statements see Francis R. Allen, Socio-cultural Dynamics: An Introduction to Social Change (New York: The Macmillan Co., 1971), pp. 67-68 and Wilbert E. Moore, "A Reconsideration of Theories of Social Change," American Sociological Review 25(December, 1960):812.

English inner-directedness, and dissenting Protestantism, as the religion of the nation. Applied to the first half of the Nineteenth Century, his statements have a certain validity for this was the age of Bentham and Mill, Wordsworth and Shelley, and the evangelistic revival which flowered into many social reform efforts. But if these characteristics are due to a master faculty, he does not show how, nor does he attempt to deal with the quite different traits of the Eighteenth Century in philosophy, literature and religion, nor does he consider the possibility that the characteristics he ascribes to the English might be explained by other reasons, such as reaction to the overemphasis of the previous century on reason and form. Intimidated by Taine's master faculty Boutmy located a few plausible examples rather than surveying the field systematically and thoroughly. He should not, however, be judged primarily on the basis of his analysis in these areas for he was chiefly creating a portrait as the background for his political studies.

In an essay on Albert Sorel, he clearly recognized the problems raised by Taine's "perfect determinism" and he sought a way out of the dilemma it raised for human action by attempting to remove the individual person from the inexorable workings of deterministic laws. Determinism, he explained, rests on the law of large numbers, and by the time it filters down to the level of the individual, the

impulse is remote, partial and even contradictory in impact, thus leaving the individual free.[36] The attempt is vain, however, for he seems to be confusing the law of statistical probability with Taine's very real and thorough-going determinism.

In his own approach he recognized the historical impact brought about by human factors in his emphasis on movements such as the industrial revolution, but his own system was marred by the difficulty of reconciling geographical determinism with cultural factors which necessitate human freedom. Which is ultimately the most significant? If the geographical influence is really deterministic is there any room at all left for human factors? If the social environment is basic does history have the character of law necessary for a science? In his study of England Boutmy speaks of a new race appearing on the scene with the industrial revolution. Yet he continues to characterize the English in terms of a master faculty derived completely from the influence of geographical factors. The new race ought to have a new master faculty or at least a modified one.

Critical reaction at the time Boutmy's books appeared was appropriately most negative in those areas where his method was most influential in his interpretation. Criticism centered on his broad generalizations and selective

---

[36] Études politiques, p. 197.

use of the data and his portrait of the English based on extrapolation of the master faculty. The following comment is typical of reaction to his methodological approach:

> What modern psychology demands above all else, as a means of escape from the pitfalls of the old school, is a rich accumulation of facts. Broad generalizations, proceeding from bases of axiomatic formulas, are, when confronted by 'too many exceptions,' forced either to beat a hasty retreat or to become involved in a network of inconsistencies and contradictions, and this albeit the 'exceptions' are ignored. This is precisely what happens in the case of the work before us, in which, not infrequently, there is even a clashing of formulas.[37]

Reaction is much more favorable toward those studies which are more political and constitutional in character. Lucien Lévy-Bruhl also hit Boutmy hardest on his methodology. He credited the latter with solid careful judgment and a sense of nuance but maintained that the most contestable and outdated part of his work was those sections where Taine's influence was the strongest.[38] Such reaction will be discussed in more detail in relation to the studies with which they are concerned.

In this study of Boutmy's method it remains yet to

---

[37]H. Addington Bruce, "The Englishman Through French Eyes," The Outlook 78, No. 19(1904):733. For similar reactions to Boutmy's method, see the following reviews: Review of Elements d'une psychologie politique du peuple américain, by Émile Boutmy, The Nation 75(August 14, 1902):140; "National Personality," The Edinburgh Review 194(July, 1901-October, 1901):140-144; A. Reader, "Some Recent Books," The Contemporary Review 86(July-December, 1904):144-418.

[38]Emile Boutmy," La Revue de Paris 1(February, 1906):802.

place him in the intellectual context of his age. The influence of Taine was overpowering and in his study of the English he was heavily dependent not only on Taine's method but also on the latter's portrait of the English master faculty and on his view of climatic impact. Already in 1864 Taine's History of English Literature pictured the English landscape swirling in yellow mist, a landscape which prescribes action and develops energy.[39] The English have produced experimental scientists but no great speculative thinkers, no architects of the mind.[40] Protestantism, the religion most typical of the English, enjoins action, concentrates on moral amelioration. It is obvious that he essentially worked from Taine's picture of the English. His contribution was its application to the Anglo-Saxon political tradition, not the originality of the portrait.

Boutmy has often indicated his debt to Taine; it is much more difficult to analyze his intellectual relationship to others because he seldom indicated his sources and when he did, he was most often concerned with specific factual data or statistical information. In spite of this difficulty, however, it is possible to place him within certain intellectual traditions of nineteenth-century France. Methodologically he clearly worked within the tradition which

---

[39]Taine, History of English Literature, p. 570.

[40]Ibid., p. 579.

derives from Montesquieu, that is, the comparative study of national characteristics based on geographical factors.

Boutmy stands squarely with the tradition of Montesquieu in the latter's basic thrust in emphasizing that "laws, customs, and institutions are the product of geographical factors, particularly climatic conditions, and that what might admirably serve one people would be quite unsuitable for another."[41] Montesquieu, like Boutmy, was very conscious of the complexity of society and the interrelationship of its parts. In the Eighteenth Century Montesquieu "was almost the only philosopher who regarded the fact that an institution or law was a priori unreasonable as an insufficient reason for abolishing it."[42] In that emphasis Montesquieu was closer to the historical emphasis of the Nineteenth Century than the rationalistic era to which he belonged. In fact his analysis of geographical

---

[41]H. E. Barnes, "Social Thought in Early Modern Times," An Introduction to the History of Sociology, ed. H. E. Barnes (Chicago: University of Chicago Press, 1948), p. 64. Baron de Montesquieu, The Spirit of the Laws, trans. Thomas Nugent, 2 vols., (New York: D. Appleton and Co., 1912), 1:8, 273, 365. For information on Montesquieu as the forerunner of historical sociology see Emile Durkheim, Montesquieu and Rousseau: Forerunners of Sociology (Ann Arbor: The University of Michigan Press, 1960); W. Stark Montesquieu, Pioneer of the Sociology of Knowledge (Toronto: University of Toronto Press, 1961); Albert Sorel, Montesquieu, trans. M. B. Anderson and E. P. Anderson (Port Washington, New York: Kennikat Press, Inc., 1969).

[42]Kingsley Martin, French Liberal Thought in the Eighteenth Century: A Study of Political Ideas from Bayle to Condorcet (New York: Harper and Row, 1962), p. 167.

impact on human society was more flexible than that of Boutmy; he believed it to be one among several factors which influence society and that men could counteract physical forces by moral and spiritual ones.[43] For Boutmy, the physical and moral aspects of man were themselves the result of the interaction of race and physical environment and he really does not escape the charge of determinism. Montesquieu maintained, however, that man was not simply subject to the necessity of nature but that he could and must shape his world as a free agent.[44] In spite of his emphasis on historical formation and his recognition that state structures must differ by country, Montesquieu did stress a view of the state with a system of checks and balances that was almost entirely mechanical; his state had no organic life or directing principle.[45] According to Ruggiero, Montesquieu had a decidedly negative influence on his homeland in his deification of the English system. By emphasizing the purely external aspects of England's constitution and ignoring its inner spirit, he "created the dangerous illusion that this well-constructed machinery had only to be transplanted into another country in order to function as

---

[43]Montesquieu, The Spirit of the Laws, I, 271.

[44]See Ernest Cassirer, The Philosophy of the Enlightenment, trans. F. C. A. Koellen and J. P. Pettigrove (Boston: Beacon Press, 1955), p. 215.

[45]Kingsley Martin, French Liberal Thought, p. 166.

perfectly there as in its place of origin.[46] Boutmy raised a persistent voice against the dangers of such use of comparative political science. Montesquieu's view of man was also more static than that of Boutmy. The former saw man's nature as constant; variations in social institutions are the result of adaptations made according to environmental influence.[47] Boutmy believed that new races could be created through the inheritance of acquired characteristics as a result either of climatic or social conditions.

Though Boutmy seldom revealed his intellectual indebtedness, other nineteenth-century writers who approach the study of human society in much the same fashion as Boutmy, all heirs, in a broad sense, of Montesquieu, were Henry Buckle, and Frédéric Le Play and his school. Boutmy read both Buckle and Le Play and there are obvious similarities. All three were concerned with a scientific study of human society and each was in some way working with a conception of geographical determinism.[48]

Buckle believed that human actions were determined solely by their antecedents and as such had a uniform

---

[46]Guido de Ruggiero, The History of European Liberalism, trans. R. G. Collingwood (Boston: Beacon Press, 1959), p. 58.

[47]Martin, French Liberal Thought, p. 155.

[48]For a consideration of other theories of geographical influence see Sorokin, Contemporary Sociological Theories, pp. 99-195.

character which always issued in the same results under the same circumstances.[49] Human life is thus subject to law and history must be studied as a science. Historians must seek the operation of these laws rather than merely relating events.[50] History for Buckle was the interplay of geographical forces modifying man and man in turn modifying nature.[51] Progress consists in the growth of the power of the mind of man over the physical laws of nature.[52] Enough has been said about Buckle to see in his work the same desire to give to history the certainty and status of science which Boutmy believed could be given to political psychology; he also works with a similar kind of interplay between human and geographical factors.[53]

Frédéric Le Play (1806-1882), a graduate of the Ecole des Mines and mining consultant to many European mining operations, also attempted to study social questions according to the methods of natural science. To that end he founded in 1872 the Union of Social Peace to study

---

[49]Henry T. Buckle, History of Civilization in England, 2 vols., (New York: Hearst's International Library Co., 1913), 1:1, 14.

[50]Ibid., 1:1, 3. [51]Ibid., 1:1, 15.

[52]Ibid., 1:1, 164.

[53]For a thorough critique of Buckle's method, see W. H. McNeill, Lord Acton: Essays in the Liberal Interpretation of History (Chicago: University of Chicago Press, 1967), pp. 3-41.

questions according to the methods of natural science and in 1881 he began to publish La réforme sociale, a fortnightly publication of both scientific and practical interest.[54] Le Play believed that man was prone to evil and that every generation had to be trained and educated; society had to continually reform itself, hence the name of his journal.[55] Le Play focused on the family as the elementary and basic social unit and on its economic life as furnishing the basis for quantitative analysis.[56] The life of the family, however, is determined by its geographical and social environment and so his analysis broadens out. In the hands of two of Le Play's prominent disciples, Henri de Tourville and Edmond Demolins, the geographical environment received even greater emphasis.[57]

In 1865, Boutmy published a review of Le Play's La réforme sociale, a work published the previous year which set forth the latter's basic theory for the reform of society.[58] Boutmy shared with Le Play a concern for

---

[54]Sorokin, Contemporary Sociological Theories, p. 64.

[55]Charles Gide and Charles Rist, A History of Economic Doctrines from the Time of the Physiocrats Until the Present Day, trans. R. Richards (London: George G. Harrap and Co., Ltd., 1915), p. 518.

[56]Sorokin, op. cit., p. 66.

[57]Gide and Rist, A History of Economic Doctrines, p. 525.

[58]"M. Le Play et la réforme sociale," Revue

revitalizing French life, a fear of the tendency of the state to absolute power, a belief in the importance of geographical influence, and a reaction to the natural law dogmas of the French Revolution.[59] After paying his respects to Le Play in the review, however, Boutmy criticized the system as a whole. Le Play's family was really an extended family, a clan, and the father a sort of patriarch.[60] Le Play then went on to create in the landed proprietor and industrial owner a benevolent patriarch responsible like a father for his economic dependents. Boutmy challenged that belief in patriarchal benevolence, for in his eyes any power elevated beyond control is rapidly and fatally corrupted--the patrons of industry and landed proprietors would be no exception.[61] He believed that priviledged and powerful classes use their power in their own selfish interests.[62] Another problem in France for the application of Le Play's system was that the French nobility had long since shown their incapacity for the benevolent role wished upon them by

---

Nationale 21(1865):389-423.

[59]See Gide and Rist, A History of Economic Doctrines, pp. 518-519; Sorokin, Contemporary Sociological Theories, p. 68.

[60]Boutmy, "M. Le Play et la réforme sociale," p. 413.

[61]Ibid., p. 412.

[62]Gide and Rist, A History of Economic Doctrines, p. 522.

Le Play.[63] Le Play furthermore put too much emphasis on the practical side of man's life; Le Play stifled the voice of science and theory, but they can reform tradition and stimulate the moral instinct.[64] Sharing Le Play's goal of the reform of society Boutmy would instead put his faith in the free association of equals guided by a scientifically trained elite who would assume social leadership along the lines advocated by Ernest Renan.[65] Le Play's grand proprietors were a historical anachronism.

Boutmy's understanding of his task, then, was to play his part in the education of a nation. His thought was oriented within a liberal framework and was deepened and enriched, he believed, by the psychological method of Taine, his friend and intellectual mentor. His political studies of the Anglo-Saxon world were to be more than the narration of political events. Taine's formula was to be the basis for his analysis of the Anglo-Saxon moral faculty, the result of the historical impact of race and milieu. His education of France was to have a historical and psychological focus. The study of the Anglo-Saxons was to give the French

---

[63]Boutmy, "M. Le Play et la réforme sociale," p. 415.

[64]Ibid., p. 410.

[65]See Ernest Renan, "Education for an Elite," France: Empire and Republic, 1850-1940, ed. David Thomson (New York: Harper and Row, 1968), pp. 229-234.

insights into their own psychology by comparison as well as to introduce them to a political tradition which represented most of the values that Boutmy espoused.

CHAPTER III

THE HISTORY AND SPIRIT OF ENGLISH POLITICS

Boutmy's study of England is chiefly embodied in two books, Essai d'une psychologie politique du peuple anglais au XIX^e siecle and Le Developpement de la constitution et de la société politique en Angleterre.[1] It does not appear that these were consciously intended to be complementary studies, but, studied together, they do present a unified picture of English political psychology and development. Accordingly, this chapter and the next will consist of an analysis of his study of England based chiefly on a synthesis of these two studies.

The Franco-Prussian War did not change Boutmy's method or political beliefs, but it did sharpen his patriotic instincts and undergird his liberal ideology; he therefore turned to his study of the Anglo-Saxons to instruct his countrymen in the principles of the liberal tradition to which he was heir. Taine's methodology, adjusted and corrected, was to be his guide, his emphases and his comparisons

---

[1]This study works chiefly from the translated editions, The English People: A Study of Their Political Psychology, trans. E. English (New York: G. P. Putman's Sons, 1904) and The English Constitution, trans. Isabel M. Eaden (London: Macmillan and Co., 1891).

with France the means of instruction. His liberal beliefs guided his choice of topic and interpretation of English politics; his methodology was the key to the explanation of cause and motive.

Boutmy's comparisons, both implicit and explicit, often constitute the most unique and helpful aspects of his study. Characteristics unnoticed by an Englishman stand out. The French, he felt, had much to learn from the English and Americans in their attempts at parliamentary democracy. Both peoples had made successful trial of the very structure the French were trying to erect after two abortive attempts. As these next chapters will show, he was not advocating slavish adoption, however; such an approach was contrary to the basic principles of his method. England was a particularly useful model for study. Heir to the intellectual tradition of Greece which had passed to her through Italy and France, England was particularly instructive because she occupied both extreme poles of the contemporary political movement: constitutional monarchy and the democratic republic.[2] England had been the first western nation to reconcile political liberty with a profound respect for monarchy and now was experiencing a strong movement toward a democratic republic with a heavy socialist

---

[2]Andre Lebon, "Un historien constitutionnel," Revue internationale de l'enseignement 15(1888):345.

coloring.

That dual character of England's political situation gave him a great opportunity but also presented an interpretive problem. Both poles of English politics served Boutmy as a model. Along with nineteenth-century, continental liberalism in general, he saw in England an uninterrupted continuity of representative institutions combined with sharply defined personal liberties, a development about which rationalistic France needed to hear more.[3] At the same time the modern English democratic movement could serve as a negative lesson for French liberals who feared an unchecked, unregulated democracy. In dealing with the change he had a problem, however. He had pictured England as a nation with a healthy balance of strong central government with vigorous local institutions, both of which rested on a sound political psychology. The problem for him was to show how both the course of political development and the character of England's political psychology had derailed to produce the crisis of contemporary England. These dynamics of Boutmy's study give his books their character. One reviewer aptly characterized his studies of England: "Averse to a detailed analysis of all the parts of a political organism, he is intent on flashing upon a whole system

---

[3]Guido de Ruggiero, The History of European Liberalism, trans. R. G. Collingwood (Boston: Beacon Press, 1959), p. 171.

a new light in which its salient features will stand out in sharp relief."[4] What he clearly had in mind was political education, although he also claimed serious scholarship and a scientific methodology.

This chapter will focus on his study of England's early development and political psychology, for him the positive side of her political history; the next will deal with the change in direction and the nature of the crisis developing across the channel. Along the way he will be placed in his historiographical and intellectual environment.

Boutmy's studies of England are deeply rooted in the liberal historiography of the Nineteenth Century. His picture of England corresponds closely to that drawn by Guizot in The History of Civilization in Europe and The History of the Origin of Representative Government in Europe. He relied on Stubbs, Hallam, Macauley and Gneist for various shadings of his portrait. In his documentation Boutmy used these authors for specific data and it is therefore difficult to pinpoint precisely his intellectual indebtedness.

---

[4]Winthrop M. Daniels, "Significant Books on Politics and Economics," The Atlantic Monthly 95(January-June 1905): 551. See also W. J. Ashley, Review of Le Developpement de la Constitution et de la Société Politique en Angleterre, by Émile Boutmy, English Historical Review, 3(1888):570, and H. L. Osgood, Review of The English Constitution by Émile Boutmy, Political Science Quarterly 6(1891):727.

Yet the ideological tradition was the same and he found their approach to the history of England congenial to his own. For specific constitutional data he used both Hallam and Stubbs consistently. Both Englishmen wrote their studies in the liberal Whig tradition and thus would confirm the picture of England that he was creating. Henry Hallam (1777-1895) was one of the first authoritative spokesmen for the Whig historical philosophy and wrote vigorously against the tyranny of the Stuarts.[5] Stubbs (1825-1901), though politically conservative, wrote in the tradition of Victorian liberalism and was used heavily by Boutmy.[6] Macauley (1800-1859) is somewhat less important to him but the former's story of the growth of English freedom was in broad strokes similar to that of the Frenchman's.

Rudolph Gneist's The History of the English Constitution recommended itself to Boutmy on several counts in addition to its comprehensive study of the English constitutional system. Gneist (1816-1895) was a German jurist and professor who studied under Friedrich von Savigny and espoused a view of the state similar to that of his teacher; Boutmy saw in Savigny and thus in Gneist a useful corrective for what he regarded as the excessive individualism of

---

[5]Thompson, History of Historical Writing, 2:285.

[6]Boutmy, The English Constitution, p. xi. Thompson, History of Historical Writing, 2:15.

Laboulaye.[7] Gneist's approach to constitutional history reveals an emphasis on the organic character of the state similar to Boutmy:

> Constitutional history differs from a history of law, for the latter traces the development of the dogmas of private and criminal law, by quoting from legal documents and authorities, whilst the former deals with the living body of the State in its origin, its life and its progress, and the successive and unbroken evolution of enactments which have remained in force until the present day.[8]

Gneist saw in England the model which revealed the inner coherence of the various members of state and society and a peculiar development which educated the nation in political freedom. Gneist was doing his work in the midst of the struggle for Prussian constitutional reform and believed that England provided a much better example for his purposes than France. He saw parallels in English and Prussian development which could serve as guides to Prussian administrators, though like Boutmy he believed that it was necessary to look at the organic life of the nation as a whole.[9] One nation could not, therefore, slavishly copy another's political and legal system: "The time is past

---

[7] Taine, Scherer, Laboulaye, p. 122.

[8] Rudolph Gneist, The History of the English Constitution, 2 vols. (London: William Clowes & Co., 1886), 1:ix

[9] The English Parliament in its Transformations Through a Thousand Years, trans. R. J. Shee (London: H. Grevel and Co., 1886), p. xv.

when the Constitutions of France or England were regarded by Germans as universal models. . . . The institutions of foreign countries cannot be adopted without modification.[10]

Boutmy gave the most explicit information on his interpretive stance when he placed himself in relationship to the controversy over the Germanic origins of modern English political institutions. He attempted to settle the question not by debate but by reformulation. In his opinion, Edward Freeman (1823-1892) and Rudolph Gneist had gone too far in finding definite features of quasi-republican monarchy in Anglo-Saxon England; their political institutions were not well defined and developed.[11] Modern political liberty with its system of guarantees is quite different.[12] Even Stubbs who was cautious about the results of

---

[10]Gneist, The English Parliament, p. xiii. See also C. W. Boase, Review of The English Parliament, by Rudolph Gneist, English Historical Review 2(1887):560 and G. W. Prothero, "Gneist on the English Constitution," English Historical Review 3(1888):1.

[11]The English Constitution, p. ix. Later English scholarship would support Boutmy's ad hoc criticisms. J. H. Round thoroughly criticized Freeman's interpretation as embodied in the latter's History of the Norman Conquest of England in his Feudal England (1895; reprint ed., New York: Barnes and Noble, 1964). Since Round a consensus opinion of Freeman's thesis comes close to that of Boutmy. See G. P. Gooch, History and Historians in the Nineteenth Century, p. 325.

[12]Émile Boutmy, Review of The Law of the Constitution by A. V. Dicey, Annales des sciences politiques 1 (1886):157.

investigation into Anglo-Saxon institutions leaned too far toward Freeman, according to Boutmy, when he saw in the County Court "the living germ from which parliamentary representation spontaneously sprang."[13] Thierry (1795-1856), however, had made the distinction too sharp and thus overestimated the impact of the Norman conquest.[14] Boutmy's solution was to reject both extremes, not in a weak compromise but because his psychological method implied a satisfactory solution. What could and did survive the Norman conquest and the subsequent reordering of society were the Anglo-Saxon racial characteristics, "the original and deep-seated tendencies, the positive leanings, of the national character."[15] Such traits were more lasting; they lie behind and explain the direction and energy of the forces which will eventually set in motion the political machinery.

Although racial traits are buried deep in history, political forms, he argued, are usually "due to causes more

---

[13]The English Constitution, p. xi. For a more detailed statement of Stubb's position, see his Constitutional History of England, 3 vols. (Oxford: The Clarendon Press, 1880), 1:283.

[14]The English Constitution, p. ix. Augustin Thierry's best known work was his Histoire de la conquete de l'Angleterre pur les Normands, a romanticized interpretation of the conquest of the brave, hardy native Anglo-Saxons by a foreign oppressor, a conquest which radically disrupted native life. On Thierry see Thompson, History of Historical Writing, 2:231.

[15]Boutmy, The English Constitution, p. xii.

specific and more practical, more recent and nearer to hand."[16] His stance followed that of A. V. Dicey whose position on the study of law is summed up in the following statement:

> [It is an illusion] that modern constitutional freedom has been established by an astounding method of retrogressive progress; that every step towards civilization has been a step backwards toward the simple wisdom of our uncultured ancestors. The assumption which underlies this view, namely, that there existed among our Saxon forefathers a more or less perfect polity, conceals the truth both of law and history.[17]

It is not surprising, therefore to find that Dicey commends Boutmy's grasp of the nature of English constitutional law or that he wrote an introduction to the latter's Studies in Constitutional Law. Though rejecting both sides of the controversy over Germanic origins Boutmy spent more time and energy debating Freeman than Thierry because he believed that the Norman conquest was the decisive factor in creating a new political society.[18] Largely side-stepping

---

[16]Boutmy, The English Constitution, p. xii.

[17]The Law of the Constitution (London: Macmillan and Co., Ltd., 1961), p. 17.

[18]The English Constitution, p. xiii. Boutmy's view of the conquest as a catalytic agent through which the genius and uniqueness of the English system emerged in the confrontation and amalgamation of Anglo-Saxon and Norman largely follows Guizot's analysis in History of the Origin of Representative Government in Europe, trans. A. R. Scoble (London: Henry G. Bohn, 1961), p. 287. Stubbs also stresses the invigoration of English life and the push toward the defense of Anglo-Saxon rights provoked by the oppression of the Normans: see The Constitutional History of England, 1:282.

the debate over the survival of Anglo-Saxon institutions in this manner, he did not argue his approach, but simply stated it. H. L. Osgood rightly drew critical attention to his lack of analysis of the Anglo-Saxon period.[19] If Boutmy's reformulation of the question is to be successful he should have offered more detailed criticism of the issues raised by the other interpretations.

Having established the historiographical tradition within which he wrote and also his major sources, it is time to begin a closer analysis of his study of England. Two statements made early in his English Constitution establish the direction, character and purpose of his studies of the English:

> Modern political England was formed in its essential elements during the period which embraces the eleventh and fourteenth centuries; the character and mutual relations of those elements took their fixed and final shape under the Tudors. . . . A comparison between the various phases of this first process of evolution and the corresponding stages of the process in France suggests more than one useful lesson.[20]

> The institutions of the middle ages, profoundly modified by the fact of the conquest, produced, in some sort of themselves, national unity, the conception of the state, equality before the law, self-government, political liberty and its organs, at a date when no other people of Europe had even thought of those things.[21]

---

[19]Review of The English Constitution, by Émile Boutmy, Political Science Quarterly, 6(1891):727.

[20]The English Constitution, p. viii.

[21]Ibid., p. 3.

Clearly indicated in the above statements are three of the major emphases of the author: (1) the early emergence of England's constitutional system; (2) an early balance between national consciousness involving a conception of the state and a system of political liberties; (3) a belief in the educational value of the study for France.

His interpretation of early Norman society in England stressed the contrast between France and England in two basic matters: unified political structure and national consciousness. Structurally the difference between England and France was apparent on almost every hand. In France sovereignty degenerated into suzerainty; that is, the monarch clung desperately to pretension of sovereign control over a territorial unit while in reality he was nothing more than first among equals.[22] In England, the apportionment of land which followed the conquest had made landlords instead of territorial barons out of the nobility. The English crown had full possession of its feudal rights and was related to its subjects in a direct and immediate way; the French king, on the other hand, could not enforce obedience in about two-thirds of what is modern France. In England local administration was kept under royal control by two permanent and loyal officials, the sheriff and the

---

[22]The English Constitution, p. 4. For Boutmy, definition of the state in the modern sense involves sovereign control of a territorial unit, The English People, p. 267.

itinerant judge, thus completing the royal administrative structure.[23] The French royal commissioners were never permanent but simply carried out special missions, thus, as temporary instruments, only illustrated French anarchy. Boutmy put the difference succinctly: "In England the court came to the suitors; in France they were compelled to come to it; and that fact naturally curtailed the limits of its activity and diminished its prestige."[24]

His emphasis on the strength of Norman royalty in preventing in England the disintegration of continental feudalism is evidently part and parcel of nineteenth-century, liberal historiography. Hallam, for example, pointed out that the great vassals of France usurped their dominions before Hugh Capet and barely submitted to his national sovereignty, while in England the power of the king's court kept baronial jurisdiction within very narrow bounds.[25] In a similar manner, the distinction between territorial jurisdiction and landholding is to be found explicitly in Guizot and Gneist and implicitly in Stubbs who pointed out the strong hold of the Norman kings on local

---

[23]The English Constitution, p. 13.

[24]Ibid., p. 14.

[25]Henry Hallam, View of the State of Europe During the Middle Ages, 6th ed. (New York: Derby and Jackson, 1859), p. 337.

government.[26] Though Boutmy made no apparent use of Taswell-Langmead, the latter's statements are almost identical when he characterized feudalism in England as a system of land tenure and not of government organization.[27]

His second major emphasis was the early development of a national consciousness in England. Here his analysis is a compound of views which are typical of other liberal historians and those peculiar to himself. The unique element in his thinking lies in his stress on the racial background of the English, an application of Taine's method. He claims that nowhere in Europe can one find a race less mixed in blood or retaining in perfection its original type.[28] From the Jutes to the Normans the invaders of England all sprang from a Germanic origin. The Romans did little racial mixing and their impact was mostly lost with their withdrawal in the face of the Anglo-Saxon invasions. He sees the Celtic population as virtually exterminated, leaving the field entirely to the Teutonic races.[29] An

---

[26]Guizot, History of Representative Government, p. 287; Gneist, The History of the English Constitution, 1: 333; Stubbs, The Constitutional History of England, 1:604, 605.

[27]Thomas P. Taswell-Langmead, English Constitutional History from the Teutonic Conquest to the Present Time, 8th ed. (Boston: Houghton Mifflin Co., 1919), p. 52.

[28]The English Constitution, p. 15.

[29]Ibid., p. 17. Boutmy eliminates Celtic influence

environmental factor which he believed affected the growth of national consciousness was the insular character of England which provided a clearly marked and permanent boundary tending to make the people enclosed within the island regard themselves as a natural unit.[30] This insular character hastened the fusion of victor and conquered, a process which was complete by the end of the Twelfth Century. By contrast, France consisted of a series of provinces, some of which had once been states themselves and feelings of local nationality and tradition were too strong for the monarchy to overcome. Beneath the growing prestige of the monarchy France had only a semblance of unity. Bloch's view that the French monarchy had to reassemble France rather than create a unified administration and that France would continue to bear the marks of this agglomeration for some time essentially follows the same lines as Boutmy.[31]

A very important political development which fostered national consciousness was the gradual rise in resistance to the "savage tyranny" of the Norman and Angevin

---

a bit too hastily. Modern archeology shows more Celtic survivals than he would have cared to admit. See Bryce Lyon, A Constitutional and Legal History of Medieval England (New York: Harper and Brothers, 1960), pp. 11-17.

[30] The English Constitution, p. 18.

[31] Marc Bloch, Feudal Society (Chicago: University of Chicago Press, 1961), p. 426.

kings.[32] Facing a strong king, the nobility had to rally to their cause all those opposed to royal tyranny from one end of the kingdom to the other. The opposition "had to be one of necessity, general, national, nay, even democratic, if the victory was to be gained at all."[33] By 1215, baronial resistance had become "an agent of unity and of common political action, and the more or less interested champion of the oppressed."[34] The first act of this movement was the Great Charter and the establishment of Parliament at about 1340 the climax.[35] In France the Estates-General was a creation of the monarchy and met in an entirely different spirit than the English Parliament. The differences explain much of the history of the two nations:

> Parliament has remained for centuries an assembly, homogeneous and national to the core, where class rivalries have been as rare as the conflicts of local ambitions, while the French States General have been nothing more than a place of meeting and contact for classes who were indifferent or hostile to each other and for provincial delegations who with great difficulty raised themselves above the private interests of their constituents.[36]

Thus race, geography and political development all coalesced to produce in England already in the middle ages a spirit of national unity and common resistence to royal tyranny.

Boutmy's interpretation of the Magna Carta was

---

[32]The English Constitution, p. 26.

[33]Ibid., p. 29. [34]Ibid. [35]Ibid.

[36]Ibid., p. 32.

symptomatic of liberal effusion about the charter. It was the first and great expression of the nation declaring its right to freedom. Hallam speaks for the tradition in characteristic fashion:

> England was indebted during that critical period for the two greatest blessings that patriotic statesmen could confer: the establishment of civil liberty on an immoveable basis, and the preservation of national independence under the ancient line of sovereigns.[37]

Stubbs, Gneist and Macauley, all of whom served as sources for Boutmy, extol the charter in much the same fashion.

One of the important reasons behind Boutmy's emphasis on national consciousness in his study of medieval England was his conception of the state, a central element in his political views which was different from some contemporary liberal thinking. That conception of the state required as its basis a sense of national unity.

In his Elements d'une psychologie politique du peuple américain, he defined the state as "a unique moral and judicial personality which has the capacity and role of fulfilling the mandate of the public good."[38] He believed that the state had within itself a mystical element and that a properly constituted state structure was necessary for the progress of civilization and the protection of the

---

[37] Europe During the Middle Ages, p. 341.

[38] Ibid., p. 137.

individual's rights.[39] In England such a state was finding expression already with Magna Carta. More will be said later about this element in his thinking since it figures heavily into his analysis of the American political tradition.

After establishing the role of the monarchy and the development of an English national consciousness, he turned to a study of the nobility. What seems at first glance an economic and social study is really an attempt to understand the changes that occurred to give the nobility its place in the political system. The unique feature of the English social structure compared with continental Europe was the presence of the rural middle class that developed rapidly after the conquest.[40] Having affinities with both the higher nobility and the urban burgesses, this class served as a link between the two, and also as a resource for the king to fill the void in the House of Lords when ancient baronial houses became extinct.[41]

This rural middle class originated from a division inherent among the Anglo-Norman baronage at the time of the conquest--the division between the barones majores and the barones minores. The lesser barons were independent and

---

[39]Taine, Scherer, Laboulaye, p. 121.

[40]The English Constitution, p. 33.

[41]Ibid., p. 34.

equal to those above them in matters of tenure and jurisdiction; the difference rested on extent of land and the manner in which they received a summons to the king's court, a difference of degree and not of kind.[42] Gradually the lesser barons became a kind of resident, provincial upper class as they became less faithful in attendance at public assemblies, less interested in following the king on his campaigns and more devoted to managing their estates.[43] Furthermore, the titles and privileges of the higher nobility remained restricted by primogeniture, with younger sons, as a result, becoming part of the great body of common citizens.[44] In France, by contrast, the nobility were divided in interest and scattered and so the title and privilege of nobility depended not on a governing role but on birth and descent, a mark which descended to all the children; eventually this practice came to weigh down the nation with a numerous class of nobles, many of whom became increasingly poverty stricken.[45] These differences have had weighty political effects. Definition based on political function narrowed and raised the base of the English aristocracy, but placed all the rest of

---

[42]The English Constitution, p. 38. The great barons were summoned individually, the lesser barons in a body through the sheriff.

[43]The English Constitution, p. 36.

[44]Ibid., p. 35. [45]Ibid., p. 39.

the nation on a foundation of equality. The growing French nobility, however, exempted from taxation by right of birth, became odious to the commoners.[46]

Boutmy, like other liberal historians, saw in the nobility of England an elite which provided important services to the political system but were not a parasitic caste as the French aristocracy. Social mobility, furthermore, and the presence of the rural middle class helped prevent the rise of class consciousness. He apparently saw in the English aristocracy Guizot's principle, namely that "all good governments . . . have for their object to draw forth from the bosom of society that veritable and legitimate aristocracy, by which it has a right to be governed."[47] In his portrait of the English nobility, he followed Stubbs very closely; the latter also portrayed the peerage as a class of office holders, not a caste and stressed the mediating role of the lesser tenants-in-chief.[48]

Putting together his interpretation of the English

---

[46] The English Constitution, p. 40.

[47] Guizot, History of Representative Government, p. 66.

[48] The Constitutional History of England, 2:194, 204-206. Cf. Hallam, Europe During the Middle Ages, p. 351; Macauley, The History of England From the Accession of James II, 2 vols. (New York: Harper and Bros., 1849), 1:35; Edward A. Freeman, The Growth of the English Constitution, 3rd. ed. (London: Macmillan and Co., 1894), p. 93; Gneist, The History of the English Constitution, 1:338; 2:205, 207.

monarchy and nobility and reasoning from a view of feudalism heavily dependent on continental development, he maintained that the feudal system never really existed in England because baronial jurisdiction was extremely short-lived and within a century of the conquest the fief was exempted from military service by a money payment which rapidly disappeared in the general mass of civil taxation.[49] His judgment on this point rested on nineteenth century liberal views of feudalism which maintained that the central characteristic of the feudal system was the dissolution of sovereignty and its devolution on every proprieter capable of exercising it.[50] Since the monarchy in England prevented that from the conquest and since money was soon instituted as a substitute for military service, feudalism in the continental sense never really emerged. Land owning practices also quickly functioned on the basis of economic criteria, and freedom of contract became the basis of agreement. No statutory distinction was made between copyhold and freehold tenure concerning property qualifications for members of Parliament or county

---

[49] The English Constitution, p. 49. Cf. Hallam, Europe During the Middle Ages, p. 351.

[50] Guizot, History of Representative Government, p. 14; Hallam, Europe During the Middle Ages, p. 337; Taswell-Langmead, English Constitutional History, p. 52.

magistrates.[51] The towns and cities of England were, except for London, country towns. Townspeople and local landowners mingled freely, thus preparing the way for their eventual fusion.[52]

Turning to a consideration of Parliament Boutmy found three important differences in political organization from the French Estates-General. In the first place, the division of Parliament into Houses to some degree crossed over and obliterated class lines because in each of the Houses two orders sat together; in France the division into orders emphasized class and class spirit.[53] The second difference was that in the English Parliament the lower House contained both rural and urban elements. France never bridged the gap between the nobility and the Third Estate because the latter was a purely urban body, isolated and swayed alternately by timidity and violence.[54] Finally, the English Parliament was predominantly lay in character; even the Lords Spiritual were there by virtue of title to land and the English Parliament was imbued correspondingly with national feeling and the spirit of civil community.[55]

---

[51] The English Constitution, p. 50, n. 1.

[52] Ibid., p. 56. [53] Ibid., p. 58.

[54] Ibid., p. 68. Boutmy ignored the peasant element in his analysis here.

[55] Ibid., p. 69.

Once the essential composition of the English Parliament was accomplished, there remained two further changes to give English political society its modern form: the extinction of the feudal nobility and the fall of the Roman Church.[56] The first of these two fundamental changes came about between Richard II (1377-1399) and Henry VII (1485-1509), the age of war and violence when the feudal nobility, divided into two rival camps, massacred and exterminated each other. In this situation of disruption and destruction, the House of Commons began to act as arbiter and slowly built up the machinery which was the key to its future dominance: "All the vast future prerogatives of the Lower House made their appearance during this period; some of these took at that time their final shape and provided well-marked types to which the rest in their turn were to conform."[57] When Henry VI chose his new peers from this rural middle class their political ascendance was complete. Parliament had come to maturity as a national body and the fluid, nationally-minded landowners had assumed their place in it.

The position of the church in medieval England had been one of growing strength ever since the conquest. But her power and wealth had tempted the papacy and Rome

---

[56]The English Constitution, p. 70.

[57]Ibid., p. 74.

consistently sought a stronger measure of control in England. In the case of England, the deeply-seated sense of national unity contributed to a resolute spirit of resistance to Rome.[58] Furthermore, the higher clergy were captured by a species of pre-Anglicanism. They "acted rather as statesmen than as heads of a separate body; rather as Englishmen than as princes of the Roman court."[59] Since the lower clergy had withdrawn from the Commons to their own convocation, the stage was set in Parliament for the great ecclesiastical revolution of the Sixteenth Century. Thereafter the church had to claim its authority based on an act of the secular power; it could no longer claim any connection with the Roman see as the French clergy could after the Great Revolution.[60] Like Gneist, Boutmy saw the role of the church as an integral organic part of the nation.[61] Whatever his opinion of spiritual reality may have been, the church was to play a moral role within the national body. Allegiance to Rome seemed incompatible with the task.

In the Sixteenth Century modern England had essentially arrived, a unified state with personal freedoms

---

[58] The English Constitution, p. 75.

[59] Ibid., p. 78. [60] Ibid., p. 83.

[61] The English Parliament, p. xvii; The History of the English Constitution, 1:71, 85.

guaranteed under law. The political characteristics which Boutmy emphasized flowed from his own political values: a Parliament which at once both represented the nation and was the agent of a liberal polity, a political aristocracy which was subject to equality in law and taxation, centralization which had taught the county to administer its own affairs through a resident aristocracy, a church which had taken a subordinate place in the state and became subject to the civil authority.[62]

After the period of the Tudors, there were few qualitatively different changes that he saw in English society until the Eighteenth Century. The two revolutions of the Sixteenth-Century--the extinction of the feudal nobility and the fall of the Roman Church--had brought about significant political changes, but the great revolution which was to come in the Eighteenth Century was economic and social in character as well as political. The great change which Boutmy called a revolution was at its core agrarian in character; it ended by concentrating all political power in the hands of an exclusive rural caste at the very moment when a powerful industrial class had become the dominant economic factor.[63] It was this transformation of the Eighteenth Century that set the stage for

---

[62] The English Constitution, p. 84.

[63] Ibid., p. 98.

one of the great crises in England's history--the counter-attack of democracy against the landed oligarchy, an attack which he believed would be directed especially against the methods of holding and transmitting landed property since this was the basis of the rural oligarchy's power.

As this study has consistently noted, his sketch of medieval England since the conquest is rooted in liberal historiography. That tradition, the sources he used, and the emphases he made have been under scrutiny and attack by modern scholars. Commenting on Stubbs one modern scholar says, "There is no cohesion between his partial conclusions founded on the texts, and his general conception."[64] Although Boutmy made considerable use of specific data from Stubbs, his larger picture clearly follows the general conception of Stubbs as well. Is it therefore to be discredited? Norman Cantor goes to considerable trouble to defend the broad picture created by Stubbs: "While a general feeling of uneasiness over Stubbs' lugubrious picture of the fourteenth and fifteenth centuries prevails, no scholar has come forward with any alternative general view."[65]

Whatever the synthesis concerning medieval English

---

[64]Gaillard T. Lapsley, "Some Recent Advance in English Constitutional History," Crown, Community and Parliament in the Later Middle Ages (Oxford: Basil Blackwell, 1951), p. 2.

[65]William Stubbs on the English Constitution (New York: Thomas Y. Crowell Co., 1966), p. 11.

constitutional history may finally be, the conclusions that Boutmy drew from his sources rest too much on conscious, consistent purpose, simple, straight-line development and unselfish nationalism. For example, William's apportionment of land to his barons and the extent of jurisdiction he allowed seems much less consistent and original than his interpretation allows.[66] The baronial revolt against John in 1215 is hardly the result of conscious nationalism as posited by Boutmy; the development of Parliament was complex and many faceted, not quite a Lancastrian experiment in parliamentary government.[67] The liberal historians of the Nineteenth Century were seeking models for their political views. They found them in the English tradition. Boutmy, sharing their ideology and working as the political educator of his nation, was particularly prone to highlight those developments which served his purpose.

The liberal movement of the Nineteenth Century was, of course, wider than France and England. As already noted, Rudolph Gneist was one of Boutmy's principal sources. The German adulation of the English political tradition goes back to the Eighteenth Century when the University of

---

[66]George B. Adams, Constitutional History of England, rev. R. L. Schuyler (New York: Henry Hold and Co., 1956), p. 67.

[67]Lapsley, Crown, Community and Parliament, p. 20.

Göttingen was the chief agency for impulses entering German intellectual life from England. Historians such as Justus Möser, August Ludwig von Schlözer and Johannes von Müller all stressed English political freedom and personal civic liberties.[68] Justus Möser, for example, placed the historic traditions and customs of England over against the doctrine of sovereignty and theoretical individualism of the Enlightenment.[69] There were further similarities in that many of these German historians built their theories on a racial basis. Friedrich Dahlmann found the principle of organic development and a unity building power in the Germanic essence of the English.[70] Many believed that England could serve Germany as a model, some rather statically while others stressed the spirit of the English system. Gneist undoubtedly appealed to Boutmy because of the authority of his works on England but also because of his organic views and his warnings against using England as a static model. Since he nowhere indicated indebtedness to German historians other than Gneist, enough has been said to indicate the wider tradition of liberal historiography of which he was part.

Turning away temporarily from England's

---

[68]McClelland, The German Historians and England: A Study in Nineteenth Century Views (Cambridge: The University Press, 1971), p. 17.

[69]Ibid., p. 18. [70]Ibid., p. 80.

constitutional history, it is necessary to highlight certain aspects of his psychological study of the English for he believed that the psychological traits of the English would decide how the crisis of his day would be met.

Following Taine closely at this point, he consistently emphasized two basic characteristics which together constitute the master faculty of the English.[71] The physical environment had produced a race of people so oriented toward physical action that it had finally become a characteristic of the race. The mental faculty of the English, due to the lack of sharp, external impressions, turned inward, with the result that the highly gifted of the English are introspective and spiritually sensitive; the masses being less gifted, turn away from reflection to action. The negative side of this environmental formation is that the English lack a facility for abstraction, for theoretical analysis and metaphysics. In so far as they engage themselves intellectually, it is in matters which are experience oriented. These twin themes, the English inclination toward action and away from abstraction, in a sense the opposite sides of the same coin, deeply pervade his psychological analysis of the English.

He has been sufficiently criticized for his faulty

---

[71]Cf. Introduction to English Literature, p. 694, also Taine's Notes on England, trans. Edward Hyams (London: Thames and Hudson, 1957), pp. 65, 242-43.

psychology above. It should be noted, however, that his description of English traits was shared by other commentators besides Taine, his most obvious source. One English critic accepted his portrayal of the English; American travelers in England echoed him in their observations.[72] Tocqueville noted something similar to Boutmy several decades earlier: "Generally speaking, the English seem to me to have difficulty in getting hold of general and undefined ideas."[73] In his ascription of certain mental traits to the English, Boutmy traveled well-trodden ground. In the mid-twentieth century Commager still found the English to be "an intensely practical people, infatuated with common sense" producing "few great speculative philosophers but many practical ones."[74] Boutmy's observations are less suspect than his psychological approach.

After his psychological analysis of the English as a race in the first two sections of The English People, he laid the foundation for his political study by a characterization of the individual Englishman. Because the

---

[72]Cf. "National Personality," Edinburgh Review 194 (July 1901-Oct. 1901):141-42; Edwin Whipple, "The English Mind is Course, Strong, Massive, Sturdy, Practical," Britain Through American Eyes, ed. Henry Steele Commager (New York: McGraw-Hill Book Co., 1974), pp. 496-97.

[73]Journeys to England and Ireland, trans. G. Lawrence and K. P. Mayer (New Haven: Yale U. Press, 1958), pp. 80-81.

[74]Henry Steele Commager, "English Traits One Hundred Years Later," Britain Through American Eyes, p. 753.

individual's moral nature and his imagination are formed from an inward operation based on intermittent sensations, the Englishman is highly individualistic and unsocial.[75] He is aloof, inclined to be a recluse, not like the French or Italians who are more sociable. As a result, the English find it difficult to identify with others and thus lack humanity; among the masses this inhumanity often degenerates into brutality and coarseness.[76] Protestantism, casting the believer at the feet of Christ, helps to restrain the savage energy of the English.[77] Along with his individualism, the Englishman possesses the trait of sincerity.[78] At times it produces rudeness but it also tends toward a healthy civil courage and independence, providing the English with a bulwark against the demagogue.[79] In spite of their individualism the English do combine but it is for collective action toward a common goal, not for social reasons.[80] Their high degree of success in agriculture, commerce and industry is the result.

The portrait he drew of British inhumanity particularly stung his British readers, several of whom saw his view as common coin in France. One English reviewer, though

---

[75] The English People, p. 105.

[76] Ibid., p. 108. [77] Ibid., p. 109.

[78] Ibid., p. 111. [79] Ibid., p. 113.

[80] Ibid.

appreciating Boutmy's analysis of English politics, reacted strongly to his charges of brutality, claiming that he passed on the conventional prejudices of generations of French writers.[81] Another reviewer, writing during the Boer War, examines Boutmy along with a series of other serious French books on England to show that the French universally regard the English as brutal, coarse and vindictive.[82] A. L. Lowell, an American, observed that "in general, his estimate of Englishmen does not differ essentially from that commonly accepted in France."[83] Though partially defending the English, John Burroughs, an American contemporary of Boutmy, speaks of "the charge of brutality often brought against the English," thus confirming a general reputation to which Boutmy conformed.[84] Tocqueville pondered the combination of individualism and the spirit of association present in the English. Much like Boutmy later, he tried to reconcile seeming contrary attributes by holding individualism to be the basis of the English character, association as a

---

[81]A. Reader, "Some Recent Books," The Contemporary Review 86(July-Dec., 1904):144-148.

[82]Anonymous, "England Viewed Through French Spectacles," The Quarterly Review 195(1902):501-518.

[83]Review of Essai d'une Psychologie politique du Peuple Anglais, by Émile Boutmy, American Historical Review 7(Oct., 1901-July, 1902):362.

[84]"English and American Characteristics Compared," Britain Through American Eyes, p. 457.

necessary means for getting things accomplished which were unattainable by individual effort.[85] It seems apparent that Boutmy's characterization of the English is drawn from the common fund of ideas present in Europe and even in America. He has, however, woven them together on the basis of Taine's theories as a means for understanding their political behavior.

One problem for Boutmy in his political portrait of the individual Englishman was this: how is it that the English are so generously endowed with the love of liberty, courage, and initiative and at the same time cling to tradition and custom with so much tenacity? The answer is tied, of course, to the master faculty--the love of action for its own sake. The French are moved to action out of a sense of the richness of life rooted in some great abstract idea with all of its complexities and contradictions; the English thinker isolates a single problem which requires consistent effort, effort which is then self-sustained, but the great body of law and tradition is never questioned.[86] The revolutionary spirit, as a result, has no attraction for the English because it is tied to novelty, not to continuity and tradition. The English seek concentrated and continued

---

[85] Journeys to England and Ireland, p. 88.

[86] The English People, p. 120.

effort as the supreme joy, not great generalizations or abstract principles. For the English, mechanism, independently of man's impulse and direction, has little virtue or usefulness.[87] Although he reveals no use of Edmund Burke he might well have cited him, for Burke not only writes in the same vein about the English political practice but is himself an example of the tradition-oriented English.[88]

From the set of traits which characterize the individual Englishman he drew out several political characteristics. English politics he found to be noisy and active, a result of the master faculty in which action is valued for its own sake.[89] At the same time the English tend to mobilize rather slowly because their mental impressions are received with less certainty and rapidity.[90] The activity serves as a safety valve for the masses, the sedentary tendency gives them tenacity. His discussion of the latter two attributes offers a curious example of how he can use the same environment to posit traits which seem contradictory. He saw also a generally accepted political inequality in

---

[87] The English People, p. 122.

[88] Cf. Burke, Reflections on the Revolution in France (Chicago: Henry Regnery Co., 1955), pp. 238-39; Gerald W. Chapman, Edmund Burke, the Practical Imagination (Cambridge, Mass.: Harvard U. Press, 1967), pp. 158, 339.

[89] The English People, p. 125.

[90] Ibid., p. 128.

English life, a kind of Darwinian struggle which had been transformed from violence into economic competition.[91] Revolution did not become a problem, however, because of the strong English social and political deference. One curious reason he advanced for such deference was that discontent was worked out by activity irrespective of accomplishment, for the English love action for its own sake.[92]

Political reform in England has also assumed a unique character because of their psychology. Reforms held to be necessary and even urgent by a popular majority are often postponed for years because the activity of seeking reform itself provides a measure of satisfaction. Reform leaders deliberately choose a cause which requires a minimum of change and a maximum of activity and they convince the public not through rational profundity but by familiarity through repetition, thus giving their cause a kind of tradition.[93] The French, on the other hand, are impatient with any obstacles to their goal:

> In France we are supremely conscious of these circumlocutions. One thought alone occupies our mind: how to escape from this gehenna; and with an impatience which is partly due to our intolerance, we hurry forward by the short road of revolution.[94]

The English aristocracy, he alleged, react to the

---

[91] The English People, p. 130.

[92] Ibid., p. 133. [93] Ibid., p. 139.

[94] Ibid.

reform process with "a curious psychological combination in which optimism and scepticism are blended with a relative indifference in regard to principles and an ardent faith in the resources of human energy."[95] The result is that the aristocracy effects a tacit division; some liberals join the radicals to blunt the force of their attack and they channel the movement into less radical pathways. The conservatives resist externally, as long as possible, but when reform is successful, they do not despair because they have no abstract convictions to the contrary and they believe that the persevering will prevents all from being lost. He comments with admiration: "Thus it comes about that England has never known those laws of reaction which have so uselessly disfigured and dishonored our Parliamentary history."[96] Both Tocqueville and Taine commented on the character of English reform in terms very close to Boutmy in the course of their travels in England. They also noted the role of the aristocracy in bringing about slow and steady change.[97]

His discussion of English reform methods is an instructive example of his psychological approach. His

---

[95] The English People, p. 139.

[96] Ibid.

[97] Journey to England and Ireland, p. 68, 85; Notes on England, p. 184.

description of English procedure does give a definite insight into the reform movements of the Nineteenth Century which were proceeded by long periods of agitation in which certain aristocratic leaders, Grey, Peel and Disraeli for example, did support reform movements. The difficulty arises, however, when he resorted to the master faculty as the principle of explanation for political behavior rather than to factors in the social environment which his own method explicitly mentions. The master faculty, even if descriptive to a degree, explains everything and therefore really explains nothing.

Boutmy believed that the English had no ideological roots either to their political convictions or their party affiliation. Their convictions are arbitrarily chosen but tenacious; they move to action as soon as possible and hesitate to interrupt the action for further deliberation.[98] Parliament passes measures when convinced that public pressure is tenacious enough to warrant passage.[99] Statesmen in England have no abstract principles which enable them to refuse persistent public pressure. Disraeli spoke of this as the concessionary principle: organized and persistent agitation will eventually be successful.[100] Party

---

[98] The English People, p. 143.

[99] Ibid., p. 144. [100] Ibid., p. 145.

affiliation likewise depends not on conviction but on which party furnishes a sphere of action favorable to the individual concerned.[101] What characterizes the English, then, in both doctrine and party, is "option in the choice of opinions, rarity of profound conviction, and the obstinacy of the wrestler rather than the stability and tenacity of the believer."[102]

In his analysis of the English party mechanism Boutmy implicitly revealed one of his central difficulties with the Third Republic.

> In every form of government there are three essentials, namely, that the supreme power should be undivided in spirit, resolute in action, and energetic in movement. But of all forms of government, that by a Parliament is perhaps the least capable of fulfilling these conditions, when the cohesion of political parties, indispensable mediums of this particular form of government is solely maintained by community of doctrines.[103]

He believed that doctrinal convictions are self-opinionated and unreasonable, like devotion to a religion, that adherents magnify the imperceptible differences that divide them from others, and that this results in a government by feeble compromise and fragile coalition in which half-hearted and complex measures are adopted instead of the free and simple methods necessary for great success.[104] The reason why the English have been spared the political difficulties of a

---

[101] The English People, p. 153.

[102] Ibid., p. 157. [103] Ibid., p. 158. [104] Ibid.

parliamentary system is that they dispense more readily with belief in an abstraction and tie themselves more to belief in a personality.[105] It is this deification of political leaders that has brought sufficient discipline to party politics in England to overcome the lack of stability provided by mere sentiment or moral force.

Boutmy's analysis of English political discipline reveals a trait common to his works--provocative observation joined to unwarranted generalization and faulty explanation. His analysis rests on at least two unfounded beliefs: (1) parliamentary politics are inherently unstable, (2) such discipline as the English actually had is due to character traits based on environmental influence. The first he shared with Taine and as a generalization was not proven. The second is an unwarranted belief based on his psychological method. If the English did acquire by inheritance the character trait of placing belief in an individual and if that is the basis for party discipline, it should characterize their political activity for all of the period since the conquest at least. Yet Namier's study shows the relative lack of disciplined political parties as late as the Eighteenth Century.[106] There is a certain superficial

---

[105]The English People, p. 153.

[106]See Lewis Namier, The Structure of Politics at the Accession of George III (London: The Macmillan Co., 1929).

truth to Boutmy's contention in the nineteenth-century leadership of figures such as Sir Robert Peel, William Gladstone, and Benjamin Disraeli, but men still vigorously challenged their leadership, split away and started new parties. The growth of English party discipline is better explained by reference to nineteenth-century political reform and the consequent organization of the electorate.

In the area of law, it is particularly the English inability to abstract and generalize that has determined procedure. Laws are promulgated only where experience shows it to be necessary for a limited area, but no attempt is made to include every other province related to the subject; thus English law remains chaotic, overlapping and incomplete.[107] The English make no pretension to finality because of human inability to comprehend a considerable space or time; they proceed cautiously by curves of wide radius. He commended that approach: "Our neighbors have profited by this circumspection. Their laws have not suffered revolution any more than their political institutions."[108] French law rests upon an exactly opposite approach. Its strengths lie in its rational, all-embracing character and its foundation of principles. But when change is required, the creation of an entirely new system is

---

[107]The English People, p. 165.

[108]Ibid., p. 170.

necessary.[109]

Boutmy's discussion of English traits in the areas of political convictions, reform and procedure is of one piece with Taine, Tocqueville, Burke and the liberal tradition generally.[110] Political stability and healthy change come step by step. They must be rooted in the political traditions of the nation, not in metaphysical theory which tries to compress all men into a homogeneous mass. With its long tradition built up from judicial precedent, Acts of Parliament and unwritten custom, England did furnish fertile ground for evidence of liberal values. Boutmy was on safest ground when describing their political behavior and procedure. This is the area of his work which also received the most positive critical response. One critic, for example, who was very negative on his psychological analysis of the English says about his political study: "Probably no foreigner has a profounder knowledge of the British Constitution, or a clearer insight into the political life of the nation."[111]

---

[109] The English People, p. 167.

[110] Cf. Taine, Notes on England, p. 126, 184; Tocqueville, Journeys to England and Ireland, p. 73; Chapman, Edmund Burke, pp. 56, 186; R. J. S. Hoffman and P. Levack, eds., Burke's Politics (New York: Alfred A. Knopf, 1967), pp. xxx-xxxii; Ruggiero, The History of European Liberalism, pp. 208-209.

[111] A. Reader, "Some Recent Books," The Contemporary Review 86(July-Dec. 1904):147.

His discussion of the monarchy in England may be passed over very briefly. It is primarily interesting for the way in which he explains the modern threat to its existance, a threat based on the English manner of conceptualization, his analysis of which once more goes back to his master faculty. The masses could conceptualize government in the person of the king, but hardly in Parliament with its confused debate and the casting of ballots by several hundred delegates. As the political education of the masses proceeds, however, the symbolic significance of the crown will decline and its existence will be threatened.[112] He does see value in the crown in a typical liberal fashion as the apex of a great pyramid of classes and corporations, as part of a living organism which cannot thus be excised without loss.[113] It also continues to have a valuable role as the author and symbol of national unity and independence.[114]

One of the major questions that Boutmy was concerned about with Taine and other liberals such as Guizot, Laboulaye and Tocqueville was that of the individual and his liberty. That concern raised the question of the individual in relationship to the State, the two poles which occupy the extreme points in the political system. The last

---

[112]The English People, p. 183.

[113]Ibid., p. 187. [114]Ibid., p. 189.

section of The English People is a study of that question. As such it is an important section of the book because it reveals some of his deepest convictions and also sets the stage for consideration of the dynamics of the current crisis in England.

At the time of the conquest, the first necessity for the people of the realm was a need for protection against the State because the prince was inclined toward despotism and at the same time was invested with great powers. The natural result was that a primitive motive of fear and defiance of the State was infused into the people of England.[115] As a result, the Englishman, engaged in the struggle of life with other private individuals, never willingly calls upon the State to assure fair play between them for fear that the State's protection might degenerate into oppression, and its power and prestige make it the enemy most to be feared.[116] By Boutmy's day this fear had become a kind of primitive motive, an unconscious part of the Englishman's nature.

> His need of independence, like the spring of a native and spontaneous passion sets him going on occasion. All the forces of heredity struggle in him and for him against the despotism of the State.[117]

The machinery for resistance to the power of the

---

[115] The English People, p. 201.

[116] Ibid. [117] Ibid., p. 206.

State was won in the Thirteenth Century and expressed in terms of fundamental rights: no taxation without consent, no arbitrary arrest, no arbitrary confiscation of property or imprisonment.[118] These assertions of right were deeply implanted in the English mind. Won by the English aristocracy with sword in hand, they have become woven into the nation's tradition and it is that mingling of revolution and tradition which accounts for the force of feeling that these rights still inspire in Boutmy's day.[119] The French suffer badly by comparison.

> In France, liberty was the birth of yesterday; it is a doctrine, but not only a doctrine. It has all the excitement of novelty, and moreover, the vibrating sonorousness and faculty of expansion which are characteristic of abstract formulas. But it has not had time to reach and rally the obscure and secret forces of our nature.[120]

In that statement he lays bare one of his chief concerns. The revolt against the ancient regime in France was still too recent; the fundamental nature of the Frenchman was still like that of man in general: "his spontaneous inclination, or what might be called his unconscious and involuntary mind, rather tends to appeal to, and desire the protection of the State."[121] Here again his psychological method raises questions and problems. The English sense of

---

[118] The English People, p. 202.

[119] Ibid., p. 204. [120] Ibid., p. 205.

[121] Ibid.

resistance to state despotism is attributed to two different types of analyses. Resistance arose, he claimed, at the time of the conquest and has since become a hereditary instinct. In something less than eight centuries an acquired characteristic has become inherited. Authorities question the validity of the theory of such inheritance and even those who leave the question open deny the possibility in such a limited time span.[122] But then he goes on to buttress his argument by an appeal to English political tradition, much safer ground on which to argue, but it is of a fundamentally different nature and does not fit well with geographic determinism because it rests ultimately on human freedom.

As this chapter has shown, Boutmy worked out a portrait of political England based on a synthesis of liberal historiography, Taine's psychological method and English character traits as commonly held by contemporary observers. His emphases and the comparative anlysis with France reflected his own understanding of the English political tradition and his purpose for the political education of the Third Republic. The following brief summary of that portrait will lay the basis for consideration of his analysis of the present crisis in England.

---

[122]Sorokin, Contemporary Sociological Theories, pp. 131, 137.

Between the Eleventh and Fourteenth Centuries England had emerged a unified nation endowed with a conception of the State as a unique moral and judicial personality. The monarchy has played a major role in forging England's unity while the nobility, without becoming a caste, had resisted the tyranny of the crown on behalf of the nation. In the process civil liberties had been established and protected, the organs of government formed and equality before the law established. As a bulwark for such political order the English character embodied psychological traits which were invaluable for a stable and secure political order. His extreme individualism made him prone to resist tne threat of State encroachment, yet he could combine with others in collective enterprises. His lack of humanity at least resulted in directness and courage. The Englishman's love for action rather than abstraction made him politically active but oriented him toward tradition and gradual reform which did no violence to the historical continuity of constitutional formation. The natural ineffectiveness of parliamentary government was overcome because the Englishman was motivated not by ideological conviction but by loyalty to his party leader. Thus political England entered the modern era far more advanced and healthier than almost every other nation. Yet Boutmy believed that contemporary England was facing an acute political crisis.

How would her traditions and her national character work together to face that crisis?

CHAPTER IV

THE CRISIS OF MODERN ENGLAND

Modern England faced a crisis, a crisis not only constitutional and political, but one that could reshape the national psyche and usher in a socialistic society. This was the grim foreboding of Emile Boutmy as he watched events unfold across the Channel from his native land. The sentiment that he expressed was not merely fin de siecle pessimism but a judgment that flowed out of his scientific methodology and reflected his political values. His fears about England's future and his analysis of its development also reveal, by implication, his own concerns about the problems of France. England had undergone a change of direction in the latter half of the Eighteenth Century and that change brought about the crisis that he believed England to be facing in his own day.

To understand the effects of that change better, he first described the nature of English society prior to 1760 when the fundamental changes began. As noted earlier, he saw little decisive change in the basic structure of society between the Tudor period and the Eighteenth Century. His sources for medieval England were chiefly Stubbs, Hallam and Gneist and his portrayal of seventeenth and early

eighteenth-century England follows the happy picture drawn by his sources. Stubbs, for example, sketches a fifteenth-century England where each element of the rural classes had a satisfying place in society with little barriers between them; even the yeoman class was doing well and, as a result, was happy, independent and comfortable.[1] Stubbs was cautious, however, and pointed out that the opportunity to rise in rank did not prevent the various interests in society from being set against each other.[2] Later Boutmy would rely on Toynbee in order to explain the suddenness with which England changed.

In his portrayal of England on the eve of the Eighteenth Century he emphasized the stationary and rural character of society. England had not yet outstripped France and Holland in colonization.[3] Apart from London, urban population was very low and most of the towns that did exist were really rural in character.[4] The country gentleman was the most influential of the social groups in

---

[1]Stubbs, The Constitutional History of England, 3: 588-599. Cf. Gneist, History of the English Constitution, 2:105-107; Prothero, "Gneist on the English Constitution," English Historical Review 3(1888):31-32.

[2]Stubbs, The Constitutional History of England, 3: 658.

[3]The English Constitution, p. 101.

[4]Ibid., p. 106.

England. The peerage, since the days of the Tudors, had never cut themselves off from the class immediately below them but simply took up a position somewhat in advance of it. All the wealthy squires were peers in expectation. The social norm for this class, above all else, was wealth. The ownership of a great estate, municipal rank, knowledge and ability as a lawyer all opened the door to this species of open nobility.[5] Back in the Sixteenth Century, the nobility was composed of all new men. Boutmy saw here a healthy stability:

> In short, all the higher elements of the nation were united and fused into one class ever open for the reception of those lower elements of which the development had been less rapid. The English aristocracy . . . had the breadth and scope of a comprehensive democracy resting on property qualifications; it was as far as possible removed from the narrow type of oligarchy to which in the 18th century it showed a tendency to revert.[6]

The jurisdiction that this class possessed in the local tribunals was no longer a feudal jurisdiction. The connection of jurisdiction with land ownership that still existed "merely supplied a qualification which was intended to secure in the administrator and judge a person of adequate moral weight and sufficiently interested in local affairs."[7] He argued against Buckle who saw in the revolutions of the Seventeenth Century a strong social factor. The quarrel of

---

[5]The English Constitution, p. 109.

[6]Ibid., p. 113. [7]Ibid., p. 115.

the civil war "was in principle a political and religious one, and . . . neither the nobility nor the gentry saw in it either a threat aimed at their privileges."[8] The political center of gravity remained fixed as before, in the country gentleman.

Just as the gentry of England had risen to fill the void left by the feudal nobility, the yeoman farmer in his turn began to fill the position and take the rank of an agricultural middle class.[9] The boundary line that marked them off from the gentry was not a definite line. They, alongside the gentry, took an honorable and increasing burden of gratuitous, public service. At the end of the Seventeenth Century the small landowners were even more numerous than tenant farmers and counted in the nation as an economic, political, and social element of very great weight.[10] The early reports from the late Tudor period of aggressive landowners who were pulling down houses and enclosing commons concern not the old squirearchy but new landowners from the towns whose approach to the land was efficiency of production.[11] As of yet their impact was kept within bounds

---

[8]The English Constitution, p. 118. Cf. Henry T. Buckle, The History of Civilization in England, 2 vols. (New York: Hearst's International Library Co., 1913), 1:462-463.

[9]The English Constitution, p. 120. In the term yeoman Boutmy includes small landowners, long leaseholders and the larger copyholders.

[10]Ibid., p. 125. [11]Ibid., p. 123.

due to the action of the Crown and some of the gentry.

At the bottom of the rural social scale of seventeenth-century England was the agricultural laborer. This class did not count in regard to public administration, the maintenance of order or the social economy, but the demand for his labor after the Black Death brought a rise in wages which gave him a very comfortable life. The poor relief of the Fifteenth and Sixteenth Centuries was given to the impotent only and was distributed by the parish in a paternal manner.[12] He saw in the poor relief a healthy kind of local assistance to those who could not work.

Boutmy summarized his analysis of the Sixteenth and Seventeenth Centuries on a note of optimism.

> Homogeneousness and coherence, continuity and gradation, these, at the period to which I am referring, were the clearly marked characteristics of English society. No surer guarantees of social harmony exist; and I have shown that, as a matter of fact, this harmony was never seriously shaken by the most violent political or religious disturbances.[13]

With the advent of the eighteenth century, like Taine and Gneist, he saw a new England taking shape. A tyrannical oligarchy slowly took the place of an open and liberal aristocracy. What happened was an agrarian revolution in which the agricultural middle class disappeared and

---

[12] The English Constitution, p. 130.

[13] Ibid., p. 133.

the monopoly of land became stricter and more oppressive.[14] He believed that two causes, interacting with each other, hastened the production of this great revolution: "the preponderance of the House of Commons, established between 1700 and 1750, and the great mechanical inventions of the end of the eighteenth century."[15] The House of Commons was rapidly becoming the basis of English government and by manipulating the constituencies, the rural gentry controlled politics at a time when the Parliament was becoming less and less dependent on public opinion. At the same time, the rapid growth of manufacturing towns made scientific farming much more profitable and the gentry used their position in Parliament, through the instrumentality of the Enclosure Acts, to appropriate more and more land, simultaneously dispossessing the small tenant farmers and forcing the small freeholder to sell.[16] The result of these changes was disastrous: "The social element, which in the middle ages had formed the bone and sinew of the State--the rural middle class had become extinct."[17]

In order to consolidate the beneficial changes of the agrarian revolution, the rural gentry had to devise ways and means of preserving intact the great estates which they had built up. Boutmy and Gneist both emphasized the control

---

[15]The English Constitution, p. 139.

[16]Ibid., p. 142. [17]Ibid., p. 146.

of land as the means by which the gentry consolidated their position and the practice of primogeniture and the system of entail were the methods of exercising that control.[18] Gentry prerogatives extended beyond land control, however; tax laws greatly favored real as opposed to personal property and legislation affecting imports and customs duties was geared to the welfare of the landlords.[19] At the same time that the gentry were evading their national burdens, as described above, they took on themselves the entire burden of local government and administration. As he saw it, however, this was not disinterested public service:

> The discharge of those burdens by the land-owners was the compensation and the excuse for the maintenance of those great estates which locked up land in perpetuity and made it impossible for the poor man to possess a home; still more was it the price paid for absolute rule in the counties. Systematic expropriation had left the country gentlemen the only class possessed of any means in the rural districts. The State alone could have lightened their burdens, but State assistance would have justified State interference.[20]

Boutmy proceeded to show how the oligarchical control of English life was spread downward to the point where very few appeals could go beyond the local courts and where

---

[18]The English Constitution, pp. 151-153; Gneist, History of the English Constitution, 2:375-6. See also George C. Broderick, English Land and English Landlords (Newton Abbot: David and Charles, 1881), pp. 127-28.

[19]Boutmy, The English Constitution, pp. 154-5.

[20]Ibid., p. 156.

the involvement of the small farmer in minor administrative matters slowly atrophied. The result was very clear:

> When the nineteenth century began it was no longer popular self-government by parishes, but aristocratic self-government by counties, which handed on the name and tradition of local liberty. Parochial franchises had been supplanted by class privileges; and oligarchy had mastered and governed despotically the whole of rural England.[21]

Though both Taine and Gneist also noted the increasing control of the eighteenth-century gentry, neither was quite as pessimistic about its effects as Boutmy. Taine, for example, found the gentry class still sound in the Nineteenth Century: "from all I have seen of the upper class here it seems to me that these roots are sound, healthy, and vigorous."[22] Boutmy was not wholly negative, however, about the total results of oligarchical rule, for the gentry had left an important legacy to the emerging democracy in the form of parliamentary government, a system that democracy could not have produced itself.[23] Only the

---

[21]Boutmy, The English Constitution, p. 171. See Steven Watson, The Reign of George III, 1760-1815 (Oxford: The Clarendon Press, 1960), pp. 42-46, for a modern scholar's description of oligarchic rule through the justice of the peace and his relationship to parish government. He largely corroborates Boutmy's analysis.

[22]Notes on England, p. 184. Cf. Gneist, History of the English Constitution, 2:453.

[23]The English Constitution, p. 174. Similar sentiments concerning the legacy of the aristocracy as well as their self-indulgent control are expressed in Basil Williams, The Whig Supremacy, 1714-1760 (Oxford: The Clarendon Press, 1962), pp. 148-9.

aristocracy possessed enough weight, continuity, moderation, and discipline to control their own members and at the same time the crown. It was they who created the party system which made a stable parliamentary government possible.

The second major factor which interacted with the rural oligarchy to bring about England's present crisis was the advent of industrialism and the pervasive societal impact that it had, creating, in effect, what Boutmy called a new nation. He approached the industrial revolution following the school of interpretation represented by Arnold Toynbee.[24] The industrial revolution, on this view, got under way in the latter half of the Eighteenth Century chiefly because of the timeliness of the great inventions and the coincidence of means of transportation and related factors.[25] The birth rate rose rapidly only after 1750 in response to the more favorable economic conditions.[26] Boutmy was not so much concerned, however, about the precise character of the industrial revolution as he was about the impact of that dynamic change in the social and political

---

[24]The Industrial Revolution (Boston: Beacon Press, 1956). For a study which directly challenges Toynbee's picture, see T. S. Ashton, The Industrial Revolution, 1760-1830 (New York: Oxford University Press, 1964).

[25]The English Constitution, p. 183.

[26]Ibid., p. 184.

spheres. A new community had appeared in England with a totally different structure of life and different attitudes. He saw as the characteristics of the factory system a concentration of capital, the sub-division of labor, personal contact without a moral basis, a division between employer and employed, and the worker a part of the machine; in short, a new race had "appeared upon the scene with instincts, passions, sufferings, grievances, ideas, habits and laws peculiar to itself."[27] In this world, which was rapidly outgrowing the rural nation, the social and political system created by the country gentlemen was totally out of place. The principles of free competition were totally at odds with the policies adopted by a narrow, rural oligarchy.[28]

In the face of this growing divergence between the "two nations," the oligarchy had to take measures to protect their position. Their predominant position in society at a time when industrialization was rapidly proceeding to fashion a new society was creating a vast disproportion between the old and the new which would in time provoke the interference of the State, an interference which would be socialist in character.[29] The Poor Relief Act of 1782, which established outdoor relief as a means to supplement

---

[27]The English Constitution, p. 187.

[28]Ibid., p. 189. [29]Ibid., p. 191.

inadequate wages, was a gentry effort to forestall state involvement. The Speenhamland system, originating in 1795, and soon spreading throughout England, was an extension of the 1782 Act in that it gave allowances based on the price of wheat and the number of children.[30] This was clearly a measure of socialism--relief dealt out according to the necessities of the individual involved, not according to the value of his services.[31] The Elizabethan distinction between the able-bodied and impotent poor was a poor-relief of a different character. The oligarchical measures of the Eighteenth Century were attempts to cover the injustice of their system but they did not see that "their task was hopeless and contrary to the laws of nature."[32] Tory Socialism could not but eventually bring on a form of state socialism by way of imitation and reaction.

At first the conflict between the rural nation and the industrial nation was not readily apparent. As individual manufacturers became financially successful they were absorbed and swallowed by the rural gentry who made room for him in their ranks. The manufacturers at first failed to realize that their interests were opposed to those of the landlords; both favored monopoly and they supported each other by turns.[33] That the theory of free competition was

---

[30]The English Constitution, p. 193.

[31]Ibid., p. 194. [32]Ibid. [33]Ibid.

based on natural law was not sufficiently realized.[34] Between 1820 and 1830 a shift in attitude occurred. The great manufacturers as a class became conscious of their own well-defined principles, and after a series of acts which gave greater freedom of operation, the redistribution of power received its legislative recognition in the Reform Act of 1832.[35]

His picture of the dramatic and even catastrophic changes that came to this happy, prosperous and homogeneous nation was heavily indebted to Toynbee's classic analysis of English industrialization. Toynbee provided an answer for a problem that he faced in his analysis of England. How could the happy England pictured at the onset of the Eighteenth Century become the England in crisis of his day? The answer--the hardening of the gentry class into a narrow caste which used political power for selfish reasons in the opportunities of industrial change, and the rise of new economic and social classes who would be looking for redress of their grievances against the ruling gentry. Toynbee was the key for he saw the process of industrialization beginning rather sharply in the middle of the Eighteenth Century with the yeoman farmer being dispossessed and then becoming the basis for the urban

---

[34] The English Constitution, p. 194.

[35] Ibid., p. 201.

working class. Boutmy saw this as the creation of a new race which would take its vengeance against the ruling gentry.

Recent studies have shown reason to question the abrupt change that his picture involves as well as the happy stable England with its noble-minded gentry on the eve of the Eighteenth Century.[36] The process by which land ownership was concentrated in the hands of the wealthy squire class rather than the small owner-occupier seems to have been much more gradual than he allowed. Beginning at least with Henry VIII's confiscation and sale of monastic lands, the process continued so that already by 1750 the system which gave authority and influence in the countryside to the territorial aristocracy and a wealthy upper middle class had been well established.[37] Correlative to the establishment of the rural gentry was the gradual decline of the yeoman farmer, a process which seems to have begun about 1650 with marked acceleration in the first half of the Eighteenth Century.[38] At the same time, however,

---

[36]See Eric E. Lampard, Industrial Revolution: Interpretations and Perspectives (Washington, D.C.: American Historical Association, 1957).

[37]W. H. B. Court, A Concise Economic History of Britain from 1750 to Recent Times (Cambridge: University Press, 1962), p. 25; R. H. Tawney, "The Rise of the Gentry," Economic History Review 11, No. 1 (1941):1-38.

[38]A Concise Economic History of Britain from 1750

the yeoman was still in evidence in the Nineteenth Century, even regaining position somewhat because of the higher prices of the Napoleonic era.[39] Thus recent studies challenge the abruptness of the change presented by Boutmy and Toynbee and, by implication at least, his rosy picture of a nationally and liberally minded seventeenth-century rural gentry. As a class they were busily promoting their own interests long before the eve of industrialization and often at the expense of the yeoman class. Another valid criticism raised by an English critic is Boutmy's jump from the Fifteenth to the Eighteenth century which he attempted to justify solely by the remark "that there was no considerable change in the relations of classes from Elizabeth to William III."[40]

His picture of the nineteenth-century aristocracy struggling to hold its own against the competition of new social groups holds up much better than his portrayal of abrupt change in the spirit and role of the landed gentry

---

to Recent Times, p. 28; H. J. Habakkuk, "English Land Ownership, 1680-1740," Economic History Review 10, No. 1 (February, 1940):15.

[39]H. J. Habakkuk, "English Land Ownership, 1680-1740," p. 15.

[40]W. J. Ashley, Review of La Développement de la Constitution et de la Société Politique en Angleterre, by Émile Boutmy, English Historical Review 3(1888):571.

in the Seventeenth and Eighteenth Centuries.[41] The gentry continued to exert a powerful social and political role in the Nineteenth Century long after the Great Reform Bill had sounded its death knell. Boutmy was struggling to understand that process as it occurred and his fears and predictions turned out to be remarkably acute.

The struggle against the oligarchy continued as he watched. The oligarchy lost first its political privileges, then its favored economic position, but in the areas of civil privilege and administrative authority the battle still waxed hot.[42] As he saw it, the landlords pushed the pendulum too far in one direction and now must experience the reverse swing. They had tried to turn the ownership of land into a monopoly by accumulating it in the hands of a few and tying up estates in those same few families generation after generation:

> They sinned directly against natural law in rendering the position of the farmer precarious and uncertain to the highest degree, when his undertaking was one which could only be carried on in a spirit of far-seeing enterprise and with a view to far-off results.[43]

This breach of the laws of political economy invited the

---

[41]Cf. G. Kitson Clark, The Making of Victorian England (1962; reprint ed.; New York: Atheneum Press, 1969), pp. 206-275 and F. M. L. Thompson, English Landed Society in the Nineteenth Century (London: Routledge and Kegan Paul, 1963), pp. 269-292.

[42]The English Constitution, p. 203.

[43]Ibid.

intervention of the legislature in the name of public welfare. The critical question for England's future, in his view, was whether the English people could draw on any resources imbedded in their constitutional development or in their moral disposition which would carry them through the developing crisis without falling into some form of state socialism.

A basic relationship which bore on this important question was that of the individual to the State. Tocqueville had enunciated a principle which accurately reflected Boutmy's beliefs regarding the state and the individual.

> Is society obliged, as we think in France, to guarantee the individual and to create his well-being? Or is not its only duty rather to give the individual sure and easy means to guarantee it for himself and to create his own well-being?[44]

Tocqueville opted for the second choice, "the only one that can make citizens or even men."[45] In Boutmy's eyes, England had produced citizens and political habits consistent with the second approach. The question was whether England had sufficient moral and political resources to continue in that pattern.

He saw in England several social traditions which would continue to uphold and continue the qualities of initiative and independence. In family life the father ruled

---

[44]Journeys to England and Ireland, p. 96.

[45]Ibid.

as absolute monarch and with inheritance laws that guaranteed nothing, the son was sure of nothing; depending solely on himself he developed tenacity and virility. The result was an individual uniquely endowed to check and resist the state.[46] The considerable prosperity of England, strangely enough, would have the same effect, he believed. In the Eighteenth and Nineteenth Centuries a considerable gap had opened between the rich and the poor in their conditions and forces. This brought about greater initiative because the wealthy could risk a great deal and the poor had nothing to lose.[47]

He seems to be grasping at straws at this point; the argument appears forced. There was, perhaps, a certain ruthlessness in the English inheritance laws which passed on a title and estate to the eldest, but this practice did not have the consequent strengthening effect on the other sons because the family used its political and social influence to secure military, civil or ecclesiastical sinecures for them.[48] Boutmy himself admitted that the inequality between rich and poor had a double edge. If English democracy sought to correct the inequality and establish a

---

[46]Boutmy, The English Constitution, p. 220.

[47]Ibid., p. 221.

[48]Steven Watson, The Reign of George III, 1760-1815, p. 36.

more equitable distribution by artificial means, it would have a socialism more powerful and more consistent than is to be found among other nations.[49] Already the democratic masses were beginning to use the state as a regulatory agent in the reform of land holding practice, reform which struck at the very principle of property.[50] Considerations such as these essentially annul the effect of his earlier analysis of English initiative and independence.

Besides the family there were other natural groups which gave the individual support against the state. He called them natural because they were entities which were anterior to the law; they were organized by individuals but were necessarily superior to the organizer, and government cannot prevent them from running their course.[51] Under this heading Boutmy considered race, class structure and religious sects. The latter two groups, especially, forced the State to deal with them as organized and independent forces which were capable of limiting or constraining the State.

> Man finds in them a sphere of collective life other than that of public life; he acquires the sentiment of duties other than those of the subject and the citizen; he becomes inspired by other impersonal aims, all of which are so many powers and forces, titles and

---

[49]Boutmy, The English Constitution, p. 225.

[50]Ibid., p. 228.

[51]The English People, p. 229.

arguments, against the claims of the state.[52] Although these groups could themselves become tyrannical, as long as an equilibrium was maintained among them they form structural and moral centers of opposition which help check the central authority.[53]

He had very little to say about race except to point out that the diversity of economic condition, geographical location and societal institutions within the ethnic unity of the British Empire offered the English citizen the ability to move among fellow citizens if he did not like the political regime within which he finds himself. This opportunity assisted the growth of a vigorous feeling of individual independence; "it reconstitutes, as it were, between each citizen and his government the conditions antecedent to the free social contract."[54] In short, it almost creates a continuing "state of nature."

The English class structure, constituted a unique situation which had been fortunate for the cause of liberty. English regard for tradition had attached certain families to various causes apart from the factor of present economic advantage:

> The stratification of the parties is largely historic, while the stratification of the classes is largely economic . . . in this way the prestige of history and

---

[52] The English People, p. 230.

[53] Ibid. [54] Ibid.

> veneration for the past have acted, and continue to act as safeguards of individual liberty.[55]

He felt that this division had been the case up to his day, but that gradually the social classes were themselves becoming transformed into parties.[56] In pointing to the divisions between great proprietor and farmer, farmer and laborer, master and workman, great manufacturer and great landowner, he saw clearly the social and economic differentiation brought on by the industrial revolution and pointed with fear to the possible political consequences. Parties were becoming tied to class rather than to political principle.

A natural group which Boutmy felt was a strong source of resistance to the state was the churches and religious communities. Religious groups cohere because of an interest and goal that is beyond the earth and therefore of more significance than the state which cannot compete.[57] At the same time, however, religious faith can become an agent of tyranny because belief based on the assumption of having grasped absolute truth is intolerant.[58] When the interests of the church and the welfare of the state come together, there is nothing more threatening to the individual. Such was the case at the time of Henry VIII, and

---

[55] The English People, p. 231.

[56] Ibid., p. 232. [57] Ibid., p. 260. [58] Ibid.

it was only the energy of the dissenters, though no more tolerant concerning their own beliefs, that saved English liberty.[59] The scepticism of the Eighteenth Century had the value of softening religious zeal and also focused more on the social utility of religious belief with the result that in the England of his day, religion played a valuable role in society. Men were free to choose and profess their own belief, but it still served as a bond that links their forces together and assured effective action.[60] So in England, belief no longer sought to take the world by force, nor form an alliance with the State but still gave to its adherents a motivation which could not be captured by state policy.

Here again his argument offers the sympathetic reader very shallow hope. The traditional social structure and its political expression is moving in the very direction he fears; it is becoming rapidly part of the problem rather than a political solution. His hope about the churches is also inadequately based. Scepticism may indeed soften religious zeal but it also undermines commitment. Such religion is the very type which the state can use to redirect citizen loyalty toward itself; it is very much in line with the civil religion defined by Rousseau in his

---

[59] The English People, p. 261.

[60] Ibid.

Social Contract.[61] It is no longer a bulwark against the State but for the State.

More important than such occasional weaknesses of argumentation is his reliance on two philosophically different types of approach. He consistently stressed racial traits which were formed by the physical and human environment. These traits in turn gave rise to a particular set of social and political institutions consistent with the peculiar needs of the English. According to the theory, if physical or human environment changed to alter old racial characteristics or create a new race, societal institutions should be revised accordingly. To speak of a crisis in such a situation does not fit since it implies the application of a value system. In Boutmy's case, to apply liberal values to a deterministic process is contradictory.

A careful study of the history of the relationship between the individual and the State in England, he believed, shows how the individual was able to hold off the State but also reveals a problem peculiarly English. No central government had been so strongly organized since the Middle Ages as in England nor has any government had so clear a consciousness of its mission and the unlimited

---

[61]Jean-Jacques Rousseau, The Social Contract, trans. Charles Frankel (New York: Hafner Publishing Co., 1947), pp. 115-125.

extent of its power.[62] From his point of view, Elizabethan paternalism was already an incipient form of socialism. In England, however, a rather unusual development checked the tendency of the State toward detailed regulation of the private citizen's life. The active initiative of the citizen led him to assume control in providing services and meeting needs and every time that an administrative function was required, individuals came forward gratuitously.[63] One notable example was popular education which was entirely maintained through private finance and initiative until 1834.

What emerged in this historical sketch, however, was one of the critical flaws of the English political tradition which would weigh heavily in her future, namely that there was no abstract conception of the function of the State which determined its relationship to the citizen on the basis of principle.

> What must be noted in those encroachments of the individual, as in those of the State, is that they have never encountered any objection based on the nature of the office. The State allows the individual all that the individual can and will take, whether it be public or private work. . . . In England the only boundary is that which marks the point where the will or the capacity of the individual stops. The State solely occupies that which the individual has abandoned through indifference or impotence. Conversely there is no province with clearly defined boundaries which

---

[62] The English People, p. 267.

[63] Ibid., p. 269.

> belongs theoretically to private individuals alone, and access to which is, in principle, denied to the State.[64]

Thus, in England, what determined the actual extent of the state's action and control was solely the energy, activity and perseverance of the individual. The result was that wherever there was a good reason for state involvement, its action was less scrupulous, more decided and more radical.[65] Since the only check on state action is historical and not doctrinal, where historical precedent is weak or non-existent, no significant barrier to the State remains.[66]

His conception of the problem at this point rests upon his psychological analysis of the English of which both method and content rests heavily on Taine.[67] Though the connection between method and observation is often tenuous, there is validity in his contention. England's constitutional tradition was never embodied in a single document, and it was, in a sense, the result of confrontations and compromise between various social groups or between the State and social groups played out over different issues over a long period of time. Certain conceptions of feudal and civil rights often were involved but seldom an abstract theory of the state. In the Nineteenth Century it is

---

[64] The English People, p. 269.

[65] Ibid., p. 273. [66] Ibid.

[67] Cf. Notes on England, pp. 65, 250-51.

difficult to locate a party or faction with a consistent and coherent set of principles which guided their political practice.[68] The reforms carried out by English utilitarians certainly fit Boutmy's analysis, based as they are on notions of social utility and utilizing various branches of government bureaucracy as their agent for reform.[69] Furthermore, the welfare schemes passed by the declining Liberal Party in the opening years of the Twentieth Century make his remarks extremely suggestive.

His fears about England's future were not unique. Foreign observers, both French and German, men who strongly believed in England's earlier history as an example of sorts, viewed the movement of England toward democracy with considerable apprehension. Tocqueville had pointed out before Boutmy that the aristocratic principle was rapidly losing strength before the rising tide of democracy.[70] He analyzed the problem in terms similar to Boutmy:

> The English are on a dangerous road; but they are taking one small thing after another, and have not in any

---

[68]Crane Brinton, English Political Thought in the Nineteenth Century (New York: Harper and Row, 1962), pp. 300-301. Also W. L. Burn, "Individualism and Collectivism in Mid-Victorian England," The English Tradition, ed. N. F. Cantor and M. S. Werthman, 2 vols. (New York: The Macmillan Co., 1967), 2:201-215.

[69]Walter Arnstein, Britain Yesterday and Today, 2d. ed., (Lexington, Mass.: D. C. Heath and Co., 1971), p. 44.

[70]Journeys to England and Ireland, pp. 66-67.

> way conceived one of those general principles which announce the approach of the total subversion of the existing order.[71]

Rudolf Gneist also noted the change with distaste, 1832 being the decisive year. The structure of English society and government "has been shaken and become loosened by the intrusion of the new social elements of modern industry, and is thus forced into the new developments of the nineteenth century."[72] He was optimistic about England's future, however, in spite of the violent storm warnings: "The thousand years of English history which lie behind us, justify our confidence that this nation will rise triumphant out of the struggles before it."[73] Gneist still saw hope in the self-possession and political experience of the ruling class who would be able to guide the realm through the danger without jeopardizing the nation's existence or the parliamentary constitution.[74]

Élié Halévy, whom Boutmy recruited at the age of twenty-two to teach in his school, also had his fears about England. He defined his own political position in the following terms: "I was not a socialist. I was a 'liberal' in

---

[71] Journeys to England and Ireland, p. 69.

[72] Gneist, The English Parliament, p. xxii. Cf. McClelland, The German Historians and England, p. 144.

[73] History of the English Constitution, 2:454.

[74] Ibid., p. 453.

the sense that I was an anticlerical, a democrat, and a republican--to use a word then pregnant with meaning, I was a 'dreyfusard'."[75] He seems to alternate between hope and pessimism in regard to England's adoption of socialism. That he has a strong dislike of socialism is very clear; he saw it as strong state control in production, distribution and exchange, manipulation of workers organizations and even as a form of thought control.[76] He did admit, however, in terms different than Boutmy, that in the dislocations of the Industrial age, state intervention might be needed to safeguard the essential rights of the individual.[77] As late as 1926 he still saw hope for England. Socialism in England seeking to satisfy purely economic demands has adapted itself to purely traditional forms of party government. England's traditional moral fiber still has its effect:

> Today as in the past everything in England is instinctive groping, mutual tolerance and compromise, the effects of that moral and religious constitution whose factors we have analyzed elsewhere. That constitution persists in its main lines unchanged and is still the

---

[75]The Era of Tyrannies, trans. R. K. Webb (Garden City, N.Y.: Anchor Books, 1965), p. 269. See Catherine H. Smith, "Élié Halévy," Some Historians of Modern Europe, ed. Bernodotte E. Schmitt (Chicago: The University of Chicago Press, 1942), p. 165.

[76]Halévy, Era of Tyrannies, p. 266.

[77]C. Bouglé, "Preface" to the 1st ed., Era of Tyrannies, p. xix.

source of those admirable political manners.[78]

Halévy here rests his hope on reasons strongly reminiscent of Boutmy.

It is necessary now to turn to a closer analysis of Boutmy's construction of the crisis in England. How were all the elements interrelated? Precisely how would England's strengths and weaknesses relate to the problem? What was the significance of the changes brought by the Nineteenth Century?

What he saw in England was a growing divergence of society into the world of the rural landowner and the world of the manufacturing classes within the context of a definite political trend toward democracy. At the head of the rural society was the gentry on whom everyone was dependent and who exercised administrative and judicial authority. They had concentrated unique power in their hands, but they were playing a contradictory and inconsistent role in the midst of the industrial nation developing around them. They did not understand the advantages of competitive struggle which, he believed, "is the principle of all improvement, and at the same time the highest guarantee of

---

[78]Élié Halévy, A History of the English People in the Nineteenth Century, vol. 5: Imperialism and the Rise of Labour, trans. E. I. Watkin (New York: Peter Smith, 1951), p. x. Compare E. L. Woodward's description of nineteenth century reform in The Age of Reform, 1815-1870 (Oxford: The Clarendon Press, 1946), p. 430.

individual liberty."[79] They dreamed of a firmly established world in which privileged position was upheld by law and purchased by philanthropy; "Their instincts have always inclined them toward a patriarchal system of government and humanitarian system of legislation."[80]

Gentry philanthropy was sincere but self-interested in that it aimed at the correction of the worst abuses of the property system that benefitted them, thus keeping the State at bay. Their philanthropy, however, did not really protect them from the eye of the legislator for their work gave an example to the State and since it mattered little to the individual whether the gentry or the State deprived him of liberty, the door was opened to the superintendence of the State with little resistance.[81] The gentry themselves never openly resented the interference of the supreme authority in certain questions.

> They have a vague feeling that the overaccentuation of their economic situation justifies the moderating and arbitrary intervention of the legislator. Their habits of protection, and their humanitarian instincts, which are the outcome of the situation, are not necessarily antagonistic to the interference of the State.[82]

On Boutmy's analysis then, the gentry would not provide any significant resistance to state interference with the individual's affairs. Their patriarchal society was actually

---

[79] The English People, p. 236.

[80] Ibid. [81] Ibid., p. 237. [82] Ibid., p. 238.

an example to the State and their latent sense of guilt made way for the State in some areas by lowering their resistance.

Neither would one find much resistance to the State from the farmers or the agricultural laborers. In order to protect their interests, the farmers had sought fixity of tenure and the determination of rents by official arbitration, both of which barter away personal liberty and reveal clearly that the farmers as a class are not prone to resist state socialism. The agricultural laboring class was very weak because the more able-bodied members moved to urban areas with the advent of manufacturing and "the remaining population was less longlived; incapable of filling up the gaps, and becoming physically regenerated by procreation."[83] Up to the date of his writing, the Liberal and Tory parties had found the laborers neutral, that is, they had nothing in common with the interests of either of the two parties.[84]

It was among the industrial population that Boutmy found a class of people who were capable of resisting the State; this was true of both the manufacturers and the laborers. In the 1820s and 1830s, the manufacturers came to reject the doctrines of mercantilism in favor of the

---

[83]The English People, p. 242.

[84]Ibid., p. 244.

principle of free trade.

> The principle of competition became inflated by success, enlarged by practice, elevated and defined by deep thought; and it was finally resolved into the general maxim that the free fight is of necessity a law of human society, and that the survival of the strongest and most capable is the real sovereign good. Liberty had no argument more decisive for declining the intervention of the State.[85]

With this as their principle, the State had to recognize the manufacturers as resolute opponents of its intervention.

The other element of the industrial population, the laborers, were equally averse to state interference. In the Nineteenth Century, laws had gradually been passed to end the control and oppression which followed the outbreak of the French Revolution, and to allow the wages of laborers to follow the law of supply and demand.[86] In addition to the creation of a favorable working milieu, the workers themselves were the strongest and the best of the former agricultural laborers, a result of natural selection.[87] They were loyal to a contracted engagement, had a strong sense of what was due them and also a sense of their own responsibility which they wanted to maintain.[88] Boutmy saw a decisive difference between the English and the French

---

[85] The English People, p. 246.

[86] Ibid., p. 248. [87] Ibid., p. 250.

[88] Ibid., p. 251.

workers. The English worker debated minute questions such as wages, overtime, sub-contracts, piece work, and the like, with their employers, while disdaining the law as their weapon; the French worker hoped for everything from class legislation and the intervention of the State.[89] The English worker did not become excited over general laws and principles but occupied his attention with immediate and practical objects and so various socialistic organizations had made little headway with him.[90] Even the Independent Labor Party attracted relatively few workers because of the social reform schemes it put forward instead of limited, concrete practical goals.[91]

As in other areas of his study of England, Boutmy's analysis of the labor movement combines striking insights which are generally true but greatly oversimplified with explanations almost solely based on the nation's master faculty. It is true that the English worker was generally slower to attach himself to a doctrinal position than the French worker, who, feeding on the revolutionary tradition of France, turned to the theories of Blanqui, Proudhon, Marx or the older Jacobin tradition, theories which proposed solutions for the laborer's problems through state action or by a social organization which would take the

---

[89] The English People, p. 252.

[90] Ibid., p. 258. [91] Ibid., p. 259.

place of the state.[92] Yet the French worker was not as radical in practice as in his doctrine and the English worker was certainly interested in Parliamentary representation.[93] The growth and success of the Labour Party reveals the difficulty of resting one's interpretation on the master faculty. Had Boutmy lived longer that aspect of his analysis would have had to be revised.

One might expect that as democracy followed in the train of industrialism, it would be imbued with the resilient strength of the manufacturing classes. Based on two reasons, however, why this might not be the case, Boutmy saw the strong possibility of a socialistic democracy based on a unitarian constitution, a double evil for him. In the first place, the particular character of English democracy tended to dull the apprehensions of the citizen concerning the place of the state. Normally the dangers of a socialistic, political economy which tries to level a nation's wealth and thereby spoil the effective use of capital would be intelligible even to uneducated minds in spite of the fact that in a democracy the interests of the great

---

[92]Gordon Wright, France in Modern Times (Chicago: Rand McNally and Co., n.d.), pp. 364-65; D. W. Brogan, The Development of Modern France, 1870-1939, rev. ed., 2 vols. (Gloucester, Mass.: Peter Smith, 1970), 1:290.

[93]Henry Pelling, "The Formation of the Labor Party," The English Tradition, 2:303.

majority are identified with the nation's interests as a whole.[94] In England, however, there is unique danger because of the legacy of oligarchic rule. Philanthropic and reform policy, optimistic and credulous in its view of human endeavors, turned to the State to secure a small amount of material advantage, but undermined the vital force of the individual far more than tyrannical rule.[95] In nineteenth-century England this development had gained momentum because as the House of Commons became more and more a miniature of the nation, intervention and bureaucratic activity no longer brought forth the same suspicious reaction as in the days of oligarchy.[96]

In the second place, he feared not just democracy per se, for he believed that it would have its day anyway.[97] But because of oligarchical tyranny, democracy would take on a radical character in reaction. England was likely to find itself with a unitarian constitution--democracy with no checks or balances. The results in such a case were likely to be worse than in France because without any abstract principle governing the function of the State, as representative bodies became more and more

---

[94] The English People, p. 212.

[95] Ibid. [96] Ibid., p. 214.

[97] The English Constitution, p. 211.

identified with the people, it would be easier to move toward a state socialism by simply fulfilling what the masses desired, the ultimate principle of democracy.[98]

His portrayal of English society did not come only from his fears of radical democracy but also from an elitist pessimism concerning human nature which was particularly operative as he viewed the masses. This attitude is observable in various places, but is particularly obvious as he considered the impact of democracy on British imperialism after 1867. Earlier, English harshness and brutality was softened and tempered by aristocratic urbanity and sentimentality, but with the onslaught of democracy after 1867, the bars were lowered. The English masses, relatively uncivilized, passionate, violently prejudiced, incapable of a broad intelligence, and able to hold only a single idea, looked at the nation solely in terms of strength and victory.[99] Thus British imperialism descended

---

[98] The English People, p. 281.

[99] Ibid., p. 301. In 1899 Boutmy published an article in which he analyzed the nature of late, nineteenth-century British imperialism. On the one hand he pictured the gradual loosening and disintegration of the old heterogeneous and scattered empire but, at the same time, he saw a new type of imperialism, signified by Dilke's Greater Britain, arising in the 1880's, an imperialism which focused on the protection of British citizens in underdeveloped areas against interference by other great powers. Arguing that the British saw themselves as a chosen people, Boutmy pictured this new imperialism in racial and religous terms. See "L'Empire britannique," Annales des sciences politiques, 14(September, 1899):537-563.

to the level indicated by the American term "jingoism." Boutmy's own prejudices broke free here of the careful methodology he had spent so much of his time elaborating. Democracy as a political system independent of an identifiable people he characterized negatively without asking if it were suitable to their national character. He assigned to the masses certain traits without justifying his analysis in terms of his own methodology: for example, it is characteristic of the masses to take their desires for reality;[100] the people view things in a narrow and prejudiced fashion;[101] they half-consciously allow themselves to be duped;[102] democracy is characterized by passion and arrogance rather than reason.[103] If democracy really was the result of a new race created by industrial change, a race which, furthermore, had emerged as a result of competitive struggle, Boutmy had no adequate basis for his negative judgment except personal prejudice. When the matter of expansion is involved, the virile, self-reliant Englishman is brutal, narrow and uncivilized, but when it comes to resisting the state, the urban worker, at least, is the hope of the future.

In 1897 he published an expanded edition of his study of English constitutional history. The additional

---

[100] The English People, p. 308.

[101] Ibid., p. 309. [102] Ibid. [103] Ibid., p. 306.

material consisted of an augmented last chapter in which he argued at more length and cited more developments to prove his original thesis that a unified constitution based on the sovereignty of the majority was emerging, indeed, had emerged in England.[104] Boutmy's personal beliefs become more apparent in this later discussion of English developments. Democracy places power in the hands of the weakest of the social classes and they use it to equalize the conditions of the struggle of life.[105] Such a society prefers active agents to carry out its will and thus a bureaucracy develops as England gives the state discretionary power to carry out its goals.[106] The church no longer provides a moral bulwark for public order but has become a private institution.[107] The gentry, formerly one of the great bases of national life, is being rapidly undermined.[108]

He saw concrete evidence of the trend toward democratic socialism everywhere. The gentry themselves had not allowed land to be transferred by free contract but had ensured their oligarchic control by entail and primogeniture. Now, in reaction, radical reformers were speaking of the nationalization of the soil and community ownership

---

[104] Le Développement de la constitution, et de la société politique en Angleterre, nouvelle edition, revue et augmentée (Paris: Armand Colin, 1897), p. 351.

[105] Ibid., p. 361. [106] Ibid., pp. 361-62.

[107] Ibid., p. 364. [108] Ibid., p. 369.

of surplus value.[109] In municipalities, county boards controlled by the gentry have long been replaced by democratically elected municipal councils which are the ideal agents to carry through an active municipal socialism.[110] The same revolution is being carried through in the rural areas as specialized boards of technicians are taking over the functions of the Justice of the Peace. In short, under a unitary and democratic constitution, England was already moving toward state socialism. As one reviewer pointed out, it was not doctrinaire socialism that Boutmy feared for England but a municipal control of public services both in the counties and the urban centers.[111]

Boutmy's fears and prophecies were increasingly and strikingly confirmed as events unfolded in the latter decades of the Nineteenth Century.[112] The Liberal Party's

---

[109] Le Développement de la constitution, nouvelle edition, revue et augmentée, pp. 382-83.

[110] Ibid., p. 390.

[111] D. Pasquet, Review of La psychologie politique du peuple Anglais au XIX^e Siècle, by Émile Boutmy, Revue de synthese historique, 2(1901):151. For an early, detailed account of how Boutmy saw the change toward socialism taking place at the local level, see his "Le Gouvernement local et la tutelle de l'état en Angleterre," Annales des sciences politiques, 1(1886):165-203.

[112] For helpful studies which illumine the changes which Boutmy was concerned with see Samuel H. Beer, British Politics in the Collectivist Age (New York: Random House, Inc., 1969); A. M. McBriar, Fabian Socialism and English Politics, 1884-1918 (Cambridge: The University Press,

legislative program passed by Parliament in 1911 would have been evidence to him that the English liberal had no distinctive theory of the state and that the democratic franchise was indeed being used by the English voter to equalize the conditions of the struggle for life. The subsequent decline of the Liberal Party, leaving the Labour and Conservative Parties dominant in politics, verified Boutmy's prophecy that English political parties would increasingly represent economic classes rather than remaining historically formed parties which represented the interests of the nation. Finally, the Labour government of 1945-1951 represented almost everything he feared: a political party based on the laboring masses using its power to bring about massive, bureaucratic state socialism.

How does one explain his prophetic insight in this case? Certainly his characterization of the English psyche was much less acute and fairly traditional. Boutmy's oversimplifications and faulty explanations have been pointed out often enough. It is rather that his overriding concerns and the nature of change in England neatly meshed. His own political beliefs focused his attention on those developments in England which concerned the fortunes of the

---

1966); Élié Halévy, A History of the English People in the Nineteenth Century, vol. 5: Imperialism and the Rise of Labour, rev. ed. (London: Peter Smith, 1951) and vol. 6: The Rule of Democracy (London: Peter Smith, 1952).

Liberal Party and events which related to liberal principles and beliefs, and it was precisely in those areas where great change was occurring.

Some of the critical reception of his work on England has already been pointed out in connection with the discussion of his methodology above. Criticism was most negative in those areas where his psychological approach was most prevalent. In general his study of the English constitutional development was much better received by English and American reviewers. Most critics praised his clear, logical insight but also pointed out weaknesses or omissions in his study. For example, W. J. Ashley praised him for his analysis of "the real character of the aristocratic 'self-government' of the eighteenth century," but also pointed out that Boutmy tried too obviously to make a case against the landed interest and "to attribute every step in the consolidation of their power to a conscious policy."[113] Another reviewer faulted Boutmy for weakness on the history of Parliament and the development of the judicial system, sees in him the workings of the clear logical French mind.[114] It is undoubtedly this latter

---

[113]Review of Le Développement de la Constitution et de la Société Politique en Angleterre, by Émile Boutmy, English Historical Review 3(1888):570.

[114]John F. Crowell, Review of The English Constitution and Studies in Constitutional Law, Annals of the

quality which is partly responsible for the invalid overgeneralizations as well as the occasional brilliant insights.

In France, as one might expect, there was little reaction to Boutmy's negative characterization of certain Anglo-Saxon attributes. In the Annales des sciences politiques, the journal which grew out of the work of his school, Maurice Caudel was exceedingly laudatory. Stressing the additions to the last chapter in the revised edition of Le Développement de la Constitution, he declared the work to be that of a master.[115] D. Pasquet attacked Boutmy's interpretation of the English psychology chiefly at those points where the latter overgeneralized on the basis of climate. He was more favorable toward Boutmy's analysis of England's political traditions.[116] Francis de Pressense criticized Boutmy for skipping the Anglo-Saxon period and passing too lightly over the religious changes of the Sixteenth Century but praised him and his school for

---

American Academy of Political and Social Science 2(July, 1891-June, 1892):103-104. Cf. the reviews of The English Constitution in The Critic 16(July-September, 1891), 25-26, and in the Political Science Quarterly 6(1891), 727-29.

[115]Review of Le développement de la constitution et de la société politique en Angleterre, revue et augmentée, by Émile Boutmy, Annales des sciences politiques 13(1898): 129-130.

[116]Review of La psychologie politique du peuple anglais au XIX siècle, by Émile Boutmy, Revue de synthese historique 2(1901):141-152.

his scientific and historical approach.[117] Pressence was especially appreciative of Boutmy's warnings that the English constitutional mechanisms cannot be a direct model for France.

Reaction as a whole, in France, England and the United States, was correctly most critical toward Boutmy's psychological method and the resulting invalid overgeneralizations. Reaction to his study of the English political tradition was generally favorable, pointing out, however, that his works, though containing brilliant insights, should not be taken as systematic studies.

In retrospect, as the outlines of his picture of political England become clear, the several interwoven emphases of Boutmy can be clearly seen. Through the entire study of England his political values dominate while his methodology points him to certain key factors as the basis for his interpretation. From his sketch of England's political history and psychology, three consistent emphases emerge. He saw, first of all, the development of a political tradition and system for which he had very great admiration. Aspects of that tradition which recur again and again in his writings include the following: a sense of national identity and unity centered in the crown; a

---

[117]Review of La constitution anglaise, by Émile Boutmy," Revue bleu, (1887), Part I:812-17.

disciplined Parliament which represented the tradition of personal liberty across class lines; a national aristocracy open to upward mobility from those below; a self-reliant, effective system of local government; a series of diverse corporations with an independent basis of existence; a church with a civil role subordinate to national needs. In the second place he consistently portrayed the English character as loving action and possessing initiative, factors which were the source of English resistance to state encroachment and the hope for the future. His study, in the third place, pointed to the early emergence of the national, unified State in England and then emphasized those changes which led to the present crisis, the danger of state socialism. The theme and emphases of his study of England clearly flow from his liberal, political values and his concern for France rooted in his conception of his life work.

Running throughout his study and partially shaping his interpretation was a rather naive form of Social Darwinism which was often arbitrarily and inconsistently used. Although he read Spencer's Man Against the State he nowhere acknowledged specific indebtedness to him.[118] While

---

[118]In a letter to Gaston Paris, July 2, 1877, Taine wrote that he was just then reading Herbert Spencer's Principles of Sociology and urged Paris to read it also. It would be strange if Taine's new-found interest were not

Spencer based a system of sociology on a theory of evolution, Boutmy's use of Darwinism was much narrower, limited basically to a justification for and support of his liberal theory of individual freedom.[119] Competitive struggle was the "principle of all improvement, and at the same time the highest guarantee of individual liberty."[120] Elevated to the level of natural law, free competition was seen to be a decisive argument for declining the intervention of the State.[121]

A recapitulation of his interpretive use of Darwinism illustrates his approach and also points up some of its weaknesses. The gentry above all others had failed to realize the social usefulness of the principle of struggle

---

communicated to Boutmy in view of their close friendship. Life and Letters of H. Taine, 3:181. In the 1897 revision of his study of English constitutional history, Boutmy referred to Spencer's Man Against the State to corroborate his view of the advancing encroachment of the State on the individual. Le Développement de la constitution et de la société politique en Angleterre, revue et augmentée, p. 348.

[119]For a study of Spencer's use of evolution see the following: Harry Elmer Barnes, "Herbert Spencer and the Evolutionary Defense of Individualism," An Introduction to the History of Sociology, ed. H. E. Barnes (Chicago: University of Chicago Press, 1948), pp. 110-154; J. D. Y. Teel, Herbert Spencer, the Evolution of a Sociologist (New York: Basic Books, Inc., 1971); Lewis A. Coser, Masters of Sociological Thought (New York: Harcourt, Brace, Javanovich, Inc., 1971), pp. 89-128.

[120]The English People, p. 235.

[121]Ibid., p. 246.

while the industrial class, both owner and laborer were the product of struggle and realized the value of liberty. Yet his analysis of English imperialism reveals a very negative view of the masses of which the industrial laborer, that sturdy independent product of competition, was a significant part. At one point his elitism dominates his interpretation, at another his belief in the principle of struggle. His use of Darwinian argument can also be variously applied. For example, why should the laborer who remained on the farm be classed as the weak cast-off; one could as well argue that he was precisely the one who was successful in holding his own in the changes of rural life. The analysis of the eighteenth-century oligarchy could also proceed along entirely opposite lines. Their selfish control of political and social life could prove superior adaptibility and cunning as well as lack of appreciation of the principle. Like geographical determinism, competitive struggle elevated to the level of natural law and used as an interpretive principle often proves detrimental to his study.

It is not necessary to repeat earlier criticism of his psychological methodology as such here. Used as a causal explanation of English political behavior it often led to oversimplification and arbitrary explanation. Furthermore, many of the traits he ascribed to the English appear to be common to many foreign observers. He did contribute significant insights into the nature and history of the

English political system but these were generally the result of judicious use of sources or of personal observation. It should be noted, however, that in spite of the serious deficiencies of his methodology, his search for a comprehensive principle of interpretation led him to take a broad view of his subject, a factor responsible to a considerable degree for his many provocative insights.

CHAPTER V

THE POLITICAL PSYCHOLOGY OF THE AMERICAN PEOPLE: A STUDY GONE AWRY

Between 1890 and 1892 Boutmy published a number of articles on the American political experience; these articles were collected and published as a book, Éléments d'une psychologie politique du peuple américain, in 1902.[1] Written in the latter part of his productive years and published after his failing eyesight prevented any more serious writing, the study purports to be in the same tradition as his psychological studies of English politics and government. The work was never translated into English, however, as his studies of England were, and attracted relatively little critical attention. Foville attempted to account for the relatively poorer reception when in his memorial on Boutmy he points out the fact that Boutmy had never personally visited America as he had England.[2]

Though not necessarily explaining the poor reception of the book, a French critic, Maurice Deslandres, raised a basic question concerning it. In his review he

---

[1] E. Levasseur, "Boutmy et L'ecole," p. 174.

[2] Notice historique, p. 31.

faulted Boutmy for his failure to be consistent with his own methodology, especially since he had provided his own model in his study of the English.[3] According to Deslandres, Boutmy made little use of his psychological approach and thus failed to get at the temperament of the American people. Shifting his methodology to more of a secondary role need not detract from the value of his study, but Deslandres' criticism is worth serious consideration because Boutmy himself had often argued that it was the key to the understanding of a nation or people and in the case of his study of the Americans, it was his justification for the publication of his book.

Published in the footsteps of Tocqueville and Bryce, Boutmy apparently felt the need to justify yet another study of America by a foreign observer, especially since Bryce's American Commonwealth had appeared as recently as 1888. In his first chapter he devoted considerable time to a discussion on method. There he argued that Tocqueville's study of America was really a study of democracy in general rather than a study of American democracy. Tocqueville was, in short, too much the moralist, too deductive, too abstract, too neglectful of the specific character of the

---

[3]Review of La psychologie politique du peuple américain, by E. Boutmy, Revue de synthèse historique 5(1902):291.

American system.[4] Bryce, on the other hand, was praised for his exact research and accurate interpretations, but his study lacked a concise and methodical psychology of the individual and family as the nucleus of his jural and political study.[5] Boutmy's justification for his study thus rested squarely on his use of the psychological method, the lack of which was one of the central criticisms of Deslandre. He had maintained that his method would provide a key to the uniqueness of the American experience that Tocqueville had missed and an insight into the moral and spiritual character of the Americans, an element missing from Bryce's study.[6]

His use of his methodology will be examined shortly, but it is important to analyze briefly his criticism of Tocqueville and Bryce since their alleged failures paved the way for his publication. His criticism of Tocqueville has a certain validity to it. In his study of America, Tocqueville constantly moves from the general and abstract to the specific, i.e., the American situation, and then

---

[4]Boutmy, Éléments d'une psychologie politique du peuple américain, p. 10.

[5]Ibid.

[6]For a brief study of Bryce and Tocqueville on America, see A. Broderson, "Themes in the Interpretation of America by Prominent Visitors from Abroad," Annals of the American Academy of Political and Social Science 295(September, 1954):22-26.

back to the general again. Tocqueville believed that among the European nations a great democratic revolution was occurring and that this movement toward the equality of conditions possessed "all the characteristics of a Divine decree."[7] Such a movement obviously could not be stopped, but it might be guided and shaped if the moral and intellectual elite would develop a new science of politics.[8] Such was Tocqueville's intention and he studied America, therefore, not merely out of curiosity but to find instruction by which his own nation could profit.[9] It was undoubtedly this purpose that gave rise to his philosophic treatment of American democracy. Yet he did spend time analyzing various characteristics of American society such as science, art, manners, sport, the public role of women, and the like. Boutmy would still object, however, for Tocqueville did not approach his subject from the viewpoint of race and environment and in the former's eyes the result

---

[7]Alexis de Tocqueville, Democracy in America, 2 vols., trans. Henry Reeve (New Rochelle, N.Y.: Arlington House, n. d.). 1:xxxviii. On Tocqueville's approach to American democracy, the following two articles are especially helpful, both of which support Boutmy's judgment: Cushing Strout, "Tocqueville's Duality: Describing America and Thinking of Europe," American Quarterly 21, no. 1 (Spring, 1969):87-99; Seymour Drescher, "Alexis' Two Democraties," Journal of the History of Ideas 25(April, 1964): 217-34.

[8]Tocqueville, Democracy in America, 1:xl.

[9]Ibid., p. xlvi.

would still be inadequate.

His assessment of Bryce was also valid. The American Commonwealth is a careful study of the American political system and the way it functions. As such it is an institutional study and it does not include a psychological analysis of the American character. Bryce treated other aspects of American society briefly but even this lacked a psychological study as a base, which for Boutmy would have been the key to the institutional life of America. On the surface then, he does provide an adequate justification for his own study of America. Both Tocqueville and Bryce provided masterful analyses based on their intentions. Yet there was room for Boutmy's study as well. The question is whether he consistently carried through his own purposes and achieved results that are valid and useful.

He outlined an approach for the study of America which he felt would have corrected the chief weaknesses of both Bryce and Tocqueville. He would have begun with an analysis of man the individual, the immigrant coming from Europe in successive waves, carrying with him the qualities and traditions of his European environment.[10] A consideration of natural and physical environment would follow,

---

[10] Éléments d'une psychologie politique du peuple américain, p. 25.

then an analysis of the interaction of man and environment.[11] In other words he called for a consideration of race, environment and the interaction of the two as the first step in a study of American society. From there he would move to a consideration of the family and then to various kinds of public groupings such as the corporation, the school, the village, the township, the university, and the like.[12] Finally would come an examination of the State and its role in American life. The procedure he outlined as the proper one to follow was in full harmony with his conception of the psychological approach and was that followed in his psychological study of England. The surprising fact is, however, that Boutmy did not consistently follow this approach himself in his study of America.

Race was never seriously considered at all. He pictured the American as characterized by energy and the love of activity, traits brought to the new world by the Anglo-Saxon immigrants, but he never analyzed the impact of the new physical environment on the old world immigrant except briefly and narrowly in his discussion on religion. Although in his discussion on method he revealed clear awareness of the unique phenomenon in American history of

---

[11] Éléments d'une psychologie politique du peuple américain, p. 26.

[12] Ibid., p. 28.

successive waves of large scale immigration lasting for more than a century and a half, he did little with it even though his method called for study of such a phenomenon in terms of radical racial change. One looks in vain for his picture of the composite race that must have been the result. One critic pointedly asked how he could speak of America as a mongrel horde and still claim to work from a distinctive political psychology.[13] Boutmy actually did have the methodology for his own theory of the American melting pot. In his hands, however, the American is only a diluted and slightly transformed extension of the Englishman.

Neither did he do anything significant with the natural environment. He treated it briefly in his consideration of American Protestantism, but on the whole his consideration of American geography emphasized the wide, unfilled expanse of land which in his study of America had social and political consequences but not the same radial and psychological impact which his methodology found in England. More will be said about this later, but it suffices now to point out his lack of consistenty with his method in both race and environment.

---

[13]Anonymous, Review of Éléments d'une psychologie politique du peuple américain, by E. Boutmy, The Nation 75(August 14, 1902):140.

Though this study has pointed out his lack of consistency with his own stated purpose and avowed method, this does not necessarily imply that his study of America is of little value. In light of the criticism of his method made earlier, Boutmy might have been better relieved of some of the difficulties involved in that method. The more important question lies in what he did do and its relative value.

In his study of the English constitution he had pointed out the early development of a national consciousness which had infused the struggle for liberty and until the Eighteenth Century had prevented political groupings from coalescing on the basis of economic interest. That emphasis in his study of England grew out of his conviction that a nation, by definition, is a society which coheres around a common idea of nationality.[14] In America, the necessary, mystical notion of the fatherland had never developed, in his judgment, and his study was an attempt to explain why this had not occurred and what had resulted instead. America presented a case study of distorted political development; the psychological approach entered only incidentally and secondarily.

In arguing his case he gave the frontier theory an

---

[14]See Taine, Scherer, Laboulaye, p. 121; The English People, pp. 14, 19, 29.

interesting twist. Whereas Frederick Jackson Turner, whose essay, "The Significance of the Frontier in American History," first appeared in 1893, saw in the frontier the chief causal factor in the making of American democracy and American virtues, Boutmy saw in the continually receding frontier a prime factor in the failure of the Americans to develop a national, political consciousness.[15] He believed that a nation needs a stable, settled population which essentially fills up the land as a material base on which a homogeneous nation can form.[16] In America, however, such national cohesion could not take place because the frontier continually drew people onward and their former place was filled by new immigrants; thus there was continual flux rather than fusion. Furthermore, the frontier kept receding so the process never ended.[17] What unites the American people with that kind of historical background is not a common conception of nationality but a common national goal, an economic ideal--the exploitation of a virgin territory.[18] The frontier was thus an economic blessing but a political liability.

---

[15]See F. J. Turner, The Frontier in American History (New York: Holt, Rinehart, and Winston, 1962), pp. 1-39.

[16]Éléments d'une psychologie politique du peuple américain, p. 32.

[17]Ibid., p. 35. [18]Ibid., p. 68.

At this particular point, he turned to his methodology to solve an apparent problem. America presented a multi-faceted appearance; nowhere in the world is there a greater variety of ethnic backgrounds and yet there is amazing homogeneity of resemblance.[19] The physical milieu cannot create a nation but it could and did create a common race in America, a race noted for its great nervous activity and capacity for endurance.[20] Thus there is the common physical appearance without the usual cohesiveness present in a national society. Several problems arise in this use of methodology. He did not consider the great range and diversity of geography and climate in his discussion of physical milieu, nor did he adequately discuss the successive waves of immigration of people with their racial character already formed. The changing frontier and the changing immigration patterns should promote considerable diversity and continual flux even in physical appearance. Furthermore, his use of physical milieu was more sporadic and secondary than in his study of England.

Out of a strong historical awareness, Boutmy maintained that because of the continuing lure of the frontier and because of the continual influx of new peoples, America

---

[19]Éléments d'une psychologie politique du peuple américain, p. 61.

[20]Ibid., p. 62.

had no long tradition in which the idea of the fatherland could assume a mystical character as it had in Europe.[21] He contended that the patriotism of an ancient nation assumes the characteristics of a religion, including superstition and devotion, for the "native land is like a very old nurse or mother, from whom they have received blood and milk."[22] America had no such tradition; in fact, America had no history. A conception of la patrie might have developed in the struggle against England but it was also localized and tended to dissipate as population flowed westward; the historical memory of the western states did not go back beyond the Civil War.[23] Such was the major theme which he stressed in his study of America. No national consciousness had developed and this fact lay at the root of the country's unique political attitudes and structure. America was not a nation but an economic enterprise and that fact largely determined the individual's view of

---

[21]For the Nineteenth Century's emphasis on continuity and tradition in the life of a nation, see Carl L. Becker, "Some Aspects of the Influence of Social Problems and Ideas Upon the Study and Writing of History," p. 80; also his Heavenly City of the Eighteenth-Century Philosophers (New Haven, Conn.: Yale University Press, 1932), p. 96; Guido de Ruggiero, The History of European Liberalism, trans. R. G. Collingwood (1927; reprint ed., Boston: Beacon Press, 1959), p. 171.

[22]Éléments d'une psychologie politique du peuple américain, p. 83.

[23]Ibid., p. 81.

the state, their unusual political structure and the character of American imperialism.

He saw clearly some of the problems of an early, growing society. His analysis of the diffusing influence of the frontier and the continual leavening influence of immigration, emphasized as they were from the problematics of the creation of a new nation, strike the reader with new force. What he failed to do, however, was to recognize these things as factors in the formation of a nation. His contention that America had not developed a notion of la patrie became the key to interpret all the other aspects of American political life. It would have been more accurate to understand the phenomena he emphasized as factors shaping a developing national consciousness rather than to end with the conclusion that America was essentially a commercial enterprise.

He did point out a temporary patriotic elan developing in colonial New England and the South, but these early starts toward a nation, he held, were lost in the westward movement.[24] Carl Degler's discussion of the awakening American nationality prior to the American Revolution would support Boutmy's picture of that early patriotism, but it would be more accurate to see that early American

---

[24] Éléments d'une psychologie politique du peuple américain, p. 39.

consciousness as the beginning of a stream that would broaden and deepen through the years to the imperialism of Boutmy's own day.[25] Daniel J. Boorstin's book, The Americans, points up the halting and somewhat uncertain character of the growth of American national consciousness, but the point is clear--it was real and growing and well established before the Civil War, a force in American society that Boutmy should have recognized from the vantage point of the 1890s.[26] Tocqueville also failed to catch the growing unity of the American people, but it was just beginning in a noticeable fashion in his day.[27] Bryce, however, noticed the presence of American patriotism and sense of unity very clearly and his vantage point was identical to Boutmy's.[28]

In establishing his point about the lack of a national society in America he felt compelled to treat American religion because he had maintained that religion enshrined in a church often produces a community of ideals,

---

[25]Out of Our Past: The Forces that Shaped Modern America, rev. ed. (New York: Harper and Row, 1970), pp. 37-72.

[26]See Boorstin's discussion of "The Quest for Symbols," in The Americans: The National Experience (New York: Vintage Books, 1967), pp. 325-291.

[27]A. Broderson, "Themes in the Interpretation of America," p. 24.

[28]The American Commonwealth, 2 vols., new ed. (New York: The Macmillan Co., 1917), 1:308; 2:634, 650, 653.

solidarity and homogeneity, with the result that when the church and the political society are closely united, patriotism is the beneficiary.[29] But in this case also, the American frontier diffused the possible cohesive effect of the New England churches and Catholic immigration destroyed the earlier community of confession. Religion still could sustain the individual but would no longer idealize patriotism. Recent studies in American civil religion demonstrate that what Boutmy might have expected to occur based on his view of religion as a social force actually did occur, but in a more complex fashion than he was probably expecting. Will Herberg shows how a common set of democratic values combined with a general belief in the value of religion to create a peculiarly American fusion of political values and religion, accomplishing exactly what Boutmy was looking for but had missed.[30] From a slightly different viewpoint Ralph Gabriel shows that already in the Jacksonian period, Americans regarded their political traditions with a religious veneration.[31] Thus the church did serve as a social

---

[29] Éléments d'une psychologie politique du peuple américain, p. 90.

[30] Protestant, Catholic, Jew (New York: Doubleday and Co., 1955), pp. 72-90. For more titles on civil religion, see J. W. Smith and A. L. Jamison, Religion in American Life, vol. IV: A Critical Bibliography of Religion in America (Trenton, New Jersey: Princeton University Press, 1961).

[31] The Course of American Democratic Thought, 2d ed.

and political bulwark and did help provide the moral cohesion Boutmy believed necessary for a nation, but which he believed America lacked. Again it is important to note that such was the case before the Civil War; it was not an emerging phenomenon only in Boutmy's day.

America's failure to develop a national consciousness played a debilitating role in other areas of the political system. In Europe the State was regarded as "a unique moral and judicial personality which has the capacity and role of fulfilling the mandate of the public good."[32] The rights of the individual are derived from the State's relinquishing certain of its prerogatives. While he was fearful of the State encroaching on the liberty of the individual, Boutmy nevertheless felt that the European State was the foundation and bulwark for the common welfare and advantage of its citizens. He regarded Laboulaye highly as the apostle of liberty but his individualism was too excessive.[33] Here too America was deficient in her political experience. The autonomous and self-conscious individual had created the State and since America was

---

(New York: Ronald Press Co., 1956), p. 98. Cf. Boorstin's discussion of the growth of July 4 as a national holiday in The Americans, pp. 376-389.

[32]Éléments d'une psychologie politique du peuple américain, p. 137.

[33]Taine, Scherer, Laboulaye, p. 122.

blessed by little internal or external danger the State remained circumscribed and limited, unable to perform its proper function.[34]

The American system had a rather paradoxical character, however. Though excessively individualistic, the citizens had set up radical democratic institutions without a counterweight and ran the risk of ending with a popular despotism.[35] The abundance of land and equality of opportunity made the protective intervention of the state unnecessary and even unwelcome, thus circumstances intervened to keep the system from its logical extension into tyranny.[36] Again his concept of America as a commercial enterprise is playing through his analysis. Life is viewed by the Americans as a noisy, vulgar, but good-humored, competitive game.[37] Although his characterization of the State in America does have some application to certain situations, notably to life on the frontier, and to a certain spectrum of political ideology such as the Jeffersonian democrats, once again he used a valid insight as an all-inclusive determinant. Failure to achieve a national consciousness distorted everything else.

---

[34] Éléments d'une psychologie politique du peuple américain, p. 137.

[35] Ibid., p. 145. [36] Ibid., p. 141.

[37] Ibid., p. 143.

The political mechanism, in his eyes, was clear evidence of the American view of the State and the impact of the environment. Against the dangers of a unitary constitution and concentration of power they consciously placed incoherence and anarchy at the very heart of authority.[38] Between the branches of the federal government the founding fathers established equality and equilibrium. In order to preserve liberty the Americans created a house divided against itself.[39] It is evident that Boutmy saw clearly some of the operative fears and theories behind the formation of the American political system. The American experiment with the Articles of Confederation reveals a wary distrust of the human propensity toward power. The founding fathers thus found Montesquieu's doctrines of the balance of power very congenial as they created a government for the new nation.[40] Bryce, in his discussion of American national government, also found weakness and vacillation.

> There is excessive friction in the American system, a waste of force in the strife of various bodies and

---

[38] Éléments d'une psychologie politique du peuple américain, p. 160.

[39] Ibid., p. 168.

[40] On Montesquieu's influence see Paul K. Conkin, Self-Evident Truths (Bloomington: Indiana University Press, 1974), pp. 156-159; Alfred H. Kelly and Winfred A. Harbison, The American Constitution, 3d ed. (New York: W. W. Norton and Co., 1963), p. 35; George Dargo, Roots of the Republic: A New Perspective on Early American Constitutionalism (New York: Praeger Publishers, 1974), pp. 50-52.

> persons created to check and balance one another. There is a want of executive unity, and therefore a possible want of executive vigour. Power is so much subdivided that it is hard at a given moment to concentrate it for prompt and effective action.[41]

He had less of a problem with the defects of the Constitution, however, because he saw in the American people a capacity for self-control, a practical aptitude for politics and a clarity of vision which were able to make any system function smoothly.[42] Boutmy could not rest quite so optimistically. He seems to vacillate in his trust in the spiritual qualities of the American people. In his Studies in Constitutional Law he revealed the same impatience and criticism of the political mechanism but is confident in American moderation, prudence and political wisdom, qualities which make the system work in spite of its defects.[43] In his later psychological study of the American people that confidence seems to be largely missing.

He felt that the same fragmentation of power was to be found on the state level as the federal. By electing all the officials, representatives, and judges, a constitutional equivalence was produces which prolongs

---

[41] The American Commonwealth, 1:302.

[42] Ibid., p. 297.

[43] Studies in Constitutional Law, trans. from the 2d Fr. ed. by E. M. Dicey (London: Macmillan and Co., 1891), pp. 102, 94.

conflict.[44] Even the governor's administrative ministers are elected; harmony with the chief executive is not necessary.[45] Thus neither on the federal nor state level is there unity of purpose and execution. Each level of government is, furthermore, independent within its own sphere of operation. The federal government can only exercise coercion or restraint through a slow, difficult course of judicial action.[46] The sovereign nation expressed itself through the combination of the two authorities, and as a result, a special effort of spirit and perspective was necessary to reconstitute the whole.[47]

The heart of the American system lies in the fact that the American idea of sovereignty is linked to the idea of limitation and constitutionality. Discussions about pending legislation are not concerned with utility or suitability but with validity. At this point America operates totally different from Europe:

> America is not under the control of that high discretion of State, wholly contingent and expedient, positive, peremptory, impetuous, which drives straight to its goal as soon as it has recognized its necessity, and which, by its name alone, so to speak, precludes all debate, crushes all contradiction.[48]

---

[44] Éléments d'une psychologie politique du peuple américain, p. 170.

[45] Ibid., p. 171. [46] Ibid., p. 179.

[47] Ibid., p. 182. [48] Ibid., p. 183.

He believed that the result of the division of powers and the American notion of sovereignty was a weak State with low prestige.

Boutmy anticipated the objection of those who might have argued against his view by pointing to the states as the real source of governmental activity by observing that at the state level also America essentially crippled its government. The state is handicapped from two different directions: certain areas are reserved to the jurisdiction of the federal government and certain rights are reserved to the individual, even by the state constitutions themselves.[49] Perhaps even more critical than these limitations is the fact that the state government does not have an adequate bureaucracy possessing regulatory rights. It, too, like the federal government, when coercion is necessary, must go to the courts.[50] He believed that what was really present was not "decentralization nor self-government; . . . but disintegration, and in the etymological sense of the word, dislocation.[51]

> The most ingenious skill has been exerted in our country in order that the State might do many things freely, quickly, and appropriately; in America, in order that the State should do few things, and that it should be slow, constricted and blocked in its movement.[52]

---

[49] Éléments d'une psychologie politique du peuple américain, p. 196.

[50] Ibid., p. 209. [51] Ibid. [52] Ibid., p. 227.

The difference between America and Europe finally rests upon what each expects of its government.

He saw the real activity of government in the classical sense occurring at the township level in America. In the township there is extensive activity aimed at the general public welfare; for example, only one-sixth of all expenses is spent by the state, the rest by local urban and township government.[53] The township assembly exercises legislative activity and regulates by ordinance basic services such as highways, police, health, markets, cemeteries, and the like; no administrative power has the right to review, suspend or annul such ordinances.[54] In effect the townships almost form tiny republics.

Coming to American government from his European conception of the State, Boutmy saw with a sharpened focus some of the disjunctures in the political structure due to the American pattern of federalism. As new social problems arise it is not always clear which level of government is responsible for dealing with them. At times the result is conflict of varying degrees of intensity. A notable example was the issue of state's rights in the matter of

---

[53] Éléments d'une psychologie politique du peuple américain, p. 231.

[54] Ibid., p. 237.

the tariff and slavery.[55] The types of problems he pointed up in his study are still not solved as American society becomes increasingly complex an interdependent.[56] The complexity of the relationships and jurisdictions between the various levels of government at times seems to defy analysis.[57]

He did misunderstand, however, the exact nature of authority relationships in the American system. The American state does have absolute power over all the communities within its limits. It is true that the state uses local officials as its agents and may usually resort to the courts in cases of trouble, yet those delegated powers may be rescinded and agents appointed by the state to carry out its will, as has actually happened.[58] The difficulty with his analysis is that, in addition to occasional errors, his European background and view of the State predisposed him

---

[55]Harvey M. Karlen, The Pattern of American Government (Beverly Hills, California: The Glencoe Press, 1968), p. 319.

[56]See the discussion on the problems of intergovernmental arrangements in Emmette S. Redford et al, Politics and Government in the United States, 2d ed. (New York: Harcourt, Brace and World, 1968), pp. 913-925.

[57]C. Peter Magrath, Elmer E. Cornwell Jr., and Jay S. Goodman, The American Democracy (New York: The Macmillan Co., 1969), p. 101.

[58]James Bryce, The American Commonwealth, 1:420; Thomas M. Cooley, Treatise on Constitutional Limitations, 2d ed. (Boston: Little Brown and Co., 1871), p. 191-92.

to see only the difficulties inherent in American federalism. Instead of seeing decentralization with both its strengths and weaknesses, he saw only dislocation. He missed the cooperation and flexibility; thus he finally declined to call the American system a government at all.

Equally disconcerting is the fact that his negative judgment rests on a very incomplete study. It lacks an analysis of the American party system and says virtually nothing about the judiciary. It is difficult to maintain successfully his charge of dislocation and disintegration without a more thorough analysis of the whole political system. In the second place, his psychological approach ought to predispose him toward a consideration of the more intangible, spiritual qualities of a society which is essential, in his view, to a proper understanding of institutional structure and function. Closer psychological analysis might have revealed the factors that make the American system work for them. Bryce saw the intangible factors even without a psychological approach. In short, on the basis of his own methodology, his negative analysis cannot be justified.

His judgment that America is a commercial society and not really a nation does soften his criticism to a degree, for the American system then was set up to serve a specific function, but he proceeds to examine the political structure as if it were to serve a political function. He

does in fact see governmental functions operating at the township level. He should have asked whether the basic function of government relative to American needs was fulfilled at that level. On the other hand if American society was ordered to serve a commercial purpose and it does serve that purpose, then judgment ought to proceed on that basis. In the latter case the tone of his study would be considerably different and different criteria would lie behind his analysis.

Probably the greatest weakness of his study of the American political system is his failure to consider seriously the factor of genesis and development. His study is too static. In the case of England he traced the growth of the English sense of nationality over a period of several centuries. Consideration of American development from that same perspective would have resulted in a much different judgment about the same data. Instead of seeing only commercial individualism exploiting virgin territory he would have documented thirteen separate colonies groping somewhat uncertainly toward nationhood with the issue being firmly settled in the passions of the Civil War. The ever receding frontier and the continuing waves of new immigration would then be chapters of that story. Instead, the perspective from which he worked led him to see everything as evidence that America was not a nation rather than to see things as steps in the process toward the formation of a

nation. In that sense, Deslandres' point that the essential note of American history is the progressive development of the democratic character of American institutions is accurate and constitutes a potent criticism of Boutmy's analysis.[59] The lack of consideration of development is especially noteworthy because he had criticized some of Taine's disciples for a static view of race.[60] His own study of America exhibits a similar static character.

The last two chapters on religion and imperialism respectively are written from the same focus on America as a commercial society, but give the work a somewhat disjointed character since they are connected only incidentally with the political theme pursued in the first five chapters. His discussion of religion in Chapter VI concerns the role that religion did play in American society since earlier he had argued that it had not contributed to the consciousness of nationality, a function that it had often played in other societies. The last chapter stresses the uniqueness of American imperialism as compared to the European variety.

Boutmy's study of religion was based on two beliefs which must be considered briefly before analysis of his interpretation of its function in American society. He

---

[59] Taine, Scherer, Laboulaye, p. 11.

[60] Review of La psychologie politique du peuple américain, by E. Boutmy, p. 291.

sought to leave room for the mysterious activity of Providence and yet justify the validity of his methodology in dealing with religion. This he did by approaching religion as an intellectual and moral phenomenon produced by Providence but "by way of causes and following natural laws with which we are not forbidden to get acquainted."[61] Thus just as science and literature reveal the shaping influence of race and environment, so does religion. His approach is essentially that which today is labelled the sociology of religion. He further believed that religion generally played a cohesive role in society, helping to create a sense of nationhood; since such national consciousness is missing in America, it must be determined what role religion did play.[62]

In his study of religion's place in America his methodology comes to the fore once again. His study of American politics had been largely based on his political ideology; now his approach becomes more psychological. Once again his version of frontier influence becomes the determinative point for analysis. Many of the seventeenth-century immigrants came to the new land to found a society

---

[61]Review of La psychologie politique du peuple américain, by E. Boutmy, p. 90.

[62]Éléments d'une psychologie politique du peuple américain, p. 258.

and church which conformed to their convictions and in their communities religion left its mark on all aspects of their lives, including the political.[63] That basic and normal social function of religion was lost, however, as the spread of population diluted the influence of religion and the commercial character of American society asserted itself.[64]

What did happen in America, according to Boutmy, was a unique fusion between religion and individualism. With a scattered and thinly distributed population in America, men became subject almost solely to the pressure of the physical environment just as in a more primitive society.[65] About the highest level of education was the primary, and this perpetuated in a subtle way the notion that all men are of equal worth and its corollary, the sovereignty of the majority.[66] This created a built-in prejudice against the superior intellect and there was almost no challenge of accepted ideas. Thus, in such an atmosphere, science, poetry, art and philosophy found it difficult to flourish.[67] Religion, on the other hand, could arise in an uncultivated social environment because all it

---

[63] Éléments d'une psychologie politique du peuple américain, p. 266.

[64] Ibid., p. 280. [65] Ibid., p. 288.

[66] Ibid. [67] Ibid., p. 290.

needs is a living, suffering man with a consciousness of his faults; it is a subjective and universal phenomenon.[68] Thus, in America, religion gave support to the rugged, egalitarian individualism needed to tame the wilderness. Theology and liturgy suffered badly in such a context. The various Protestant sects were almost wholly moral codes, rules of conduct but not absolute truth.[69] Tocqueville also stressed the moral impact of Christianity in America, but other than that general similarity Boutmy's picture seems unique.[70]

Although in his analysis of religion he did work more with race and environment, his use of them is very superficial, even judged by the standards of his own method. Race is largely that of the Anglo-Saxon and suffers little change in the environment of the new land. Furthermore little is done with the fact of the great variety of physical environment in America. The result is great oversimplification on the one hand and myopia on the other. It is impossible to fit the Presbyterian, Episcopal, and Lutheran churches into a single category with frontier Baptist and Methodist churches and label them all simply as moral codes.

---

[68] Éléments d'une psychologie politique du peuple américain, p. 291.

[69] Ibid., p. 300.

[70] Democracy in America, I:294-95.

Here also his discussion suffers from being too static. There is obvious truth that in a very young society struggling with a frontier environment, formal education and the arts and sciences will not be in strong evidence, but it is a problem of development not of permanent national traits. Boutmy does see change coming in the future when there would be a greater role for the speculative sciences, but he admits little such change in American society from its beginning to his own day. His methodology seems to push him into a search for national traits and largely causes him to neglect the matter of development.

The last topic treated was imperialism and its relation to the United States Constitution. Here, as throughout his study of American society, he emphasized the difference between the American and European varieties. European imperialism is characterized by three things: (1) An urge to obtain new territories and dominate the older possessions; (2) glorification of the race as an instrument of God; (3) exaltation of the army as the foremost body of the State.[71] He saw American imperialism as intense and covetous, but in contrast to Europe, it had no mystical element, no glorification of the army and a

---

[71] Éléments d'une psychologie politique du peuple américain, pp. 333-34.

practical orientation.[72] Imperialism was born when America's economic growth began to have a world-wide impact; as more and more foreign countries became economically dependent on America, she became more imperious in her demands on them.[73] Although American imperialism appeared at a specific time due to the nation's prosperity and the Cuban situation, it was the conclusion of attitudes and policies at work ever since President Monroe who asserted American interests in the western hemisphere.[74] It was only in the latter few decades of the Nineteenth Century that America woke to the potential of its power and position. Mass hysteria then grafted itself on to a tradition already there, but jingoism was not the essence of American imperialism.[75] It was rather the result of a long and gradual evolution which would have developed irrespective of the Spanish-American war.

In his discussion of American imperialism Boutmy did see clearly the economic motives at work but missed the mystical glorification of the nation since he could not believe that America possessed a national consciousness. But from the 1840s to Boutmy's day, whether it is labelled

---

[72] Éléments d'une psychologie politique du peuple américain, p. 335.

[73] Ibid., p. 338. [74] Ibid., p. 341.

[75] Ibid., p. 352.

Manifest Destiny, imperialism or mission, Americans believed in a unique destiny for America; that sense of destiny or mission depended on a concept of what the nation was and what it should be in the future.[76] In short, America did have what he called a mystical sense of the nation as an instrument of God, but his methodology turned his eyes in other directions.

In his study of America Boutmy placed himself consciously in relation to Tocqueville and Bryce, two great foreign works which preceded his. In his actual writing he seldom refers to either one; neither does he indicate any general interpretive debt to either. He rarely indicates sources and when he does it is for specific information from statistical surveys, state constitutions and occasionally from constitutional studies such as Thomas Cooley's Constitutional Limitations, Judson Landon's Constitutional History and Government of the United States and Joseph Story's Commentaries on the Constitution. A perusal of these sources reveals no ideological relationship. There are, however, striking similarities in certain broad themes emphasized in both Tocqueville and Boutmy. In a letter of

---

[76]Robert E. Osgood, Ideals and Self-Interest in America's Foreign Relations (Chicago: University of Chicago Press, 1953), p. 50. See also Frederick Merk, Manifest Destiny and Mission in American History (New York: Vintage Books, 1963), pp. 261-66, and Albert K. Weinburg, Manifest Destiny (Chicago: Quadrangle Books, 1935), p. 2.

Tocqueville, written while in America, these themes stand out in striking fashion:

> Picture to yourself, my dear friend, if you can, a society which comprises all the nations of the world--English, French, German: people differing from one another in language, in beliefs, in opinions; in a word, a society possessing no roots, no memories, no prejudices, no routine, no common ideas, no national character. . . . How are they welded into one poeple? By Community of interests. . . . Here there is no need for one. The States have few soldiers, because they have no enemies, and consequently no armies; there is neither taxation nor central government. . . . Nothing is easier in America than to acquire wealth; it is natural, therefore, that the human mind, which demands a ruling passion, ends by fastening all its thoughts on gain. The result of this is that at first sight the people here seem to be a nation of merchants met together to trade.[77]

One can recognize here the dominant themes of Boutmy's study of America. Put them together with his conception of the state and nation and interweave them with his psychological methodology and the material for his analysis is there.

One finishes Boutmy's study of American society with a sense of incompleteness and dissatisfaction. In part, this feeling may be due to the way the study ends, abruptly, without any attempt to pull the various threads together into a more unified whole. A series of essays collected into a single volume often produces such an impression, but the dissatisfaction goes deeper. As

---

[77]J. P. Mayer, Alexis de Tocqueville, pp. 37-40.

emphasized earlier, he did not leave his reader with any great insight into the psychological aspects of the American political tradition. He stressed the characteristic of energy, and love of activity, elements brought to the new world by Anglo-Saxon immigrants, an analysis already made in his study of England. There he let his methodology rest, except to stress the growth of individualism through frontier influence. He did not assess the impact of the later waves of immigration with their unique characteristics based on race and their European environment. Where is the analysis of the composite race that must have been the result according to his own methodology? One looks in vain. The American is a diluted extension of the Englishman.

His study suffers also from a weakness for which he criticized Tocqueville, though with a somewhat different twist. Tocqueville was too general, not factual enough for him. His study concentrated in the type; the uniqueness of the American vanished in Tocqueville's hands, though he offered many brilliant insights into democracy as a system. Boutmy did offer his reader an analysis of some of the unique features of American society; in fact, he constantly emphasized that uniqueness and warned against the misuse of the American experience as a model. Furthermore, he did give ample facts and examples in support of his contentions. His study, however, is so oriented around certain aspects

of the political structure and the idea of nationality that one is left with the conviction that too much has been missed. Too many strokes in the picture have been omitted. The American he portrays is not complete. Thus, like Tocqueville, though in a different sense, one does not quite recognize the portrait.

As Bryce observed, foreignors sometimes catch the true perspective of things better than natives because from their different vantage point the general features of a society stand out in their relative proportions.[78] This is true of Boutmy's study in a limited sense. He saw very clearly how the Americans, with a keen distrust of strong central government, created a system with built-in equilibrium between its several parts. He noticed also that the frontier played an important role in shaping American political life through the Nineteenth Century and that was a factor which critically differentiated the American political experience from the European. He noticed the significant place that religion continued to have in American life, also the energetic, practical, inventive bent of the American people.

In spite of his generally negative picture of the American political system, he considered the study to be of value to his contemporaries in an educational sense. He

---

[78] The American Commonwealth, 1:7-8.

was not naive about this, however. The European states and the American Republic, in his view, belong to two different species; the European statesman, therefore, cannot make direct application of the American system to his own, but can only draw abstract lessons from what he sees.[79] The uniqueness of the American experience prevents one from borrowing from it, but it does furnish the statesman with a method for finding solutions through the light it sheds on the evolutionary process.[80] It is important to note that this particular emphasis of Boutmy was not simply the result of practical good sense, but rested also on his methodology. A society with a certain character impressed by race and environment cannot borrow in a direct way this or that mechanism formed in a different natural and social environment. Boutmy's concept of the educational process, in this sense, was more sophisticated than one might think from a superficial reading of his studies on the English where he praises much of their political customs and their reliance on tradition. He issued the same warning about the application of his studies on England.

This study of Boutmy's analysis of America has been exceedingly negative.[81] What does his study offer the

---

[79] The American Commonwealth, 1:108.

[80] Ibid., p. 110.

[81] One French review was basically appreciative, but

reader? Several of his observations on American life strike home with new force, offered as they are from a European background. These have been noted above. One harsh American critic made a valuable point when he observed that the best part of the book is where the author compared American and French political attitudes: "If we do not understand ourselves much better than before, we get clearer views of the French system."[82] It might be more accurate, however, to say that the book gives us a view of how one Frenchman viewed America, and that is a key factor for this study. At least two important points should be noted in that regard. The book reinforces one's sense of the tension that exists between his analysis based primarily on his political beliefs. More importantly, in his reaction against the American political system one understands more clearly his conception of nationhood and the state and understands better, therefore, his emphases on certain aspects of the English tradition. The negative, in this case, reinforces the positive.

---

that would be expected since it was published in the journal founded by Boutmy and his colleagues. See Archille Viallate, Review of Éléments d'une psychologie politique du peuple américain, by E. Boutmy. Annales des sciences politiques 17(1902):673-76.

[82]Anonymous, Review of Éléments d'une psychologie politique du peuple américain, by E. Boutmy, The Nation 75(August 14, 1902):140.

CHAPTER VI

THE NATURE OF POLITICAL SYSTEMS: A COMPARATIVE ANALYSIS

Boutmy's chief works were political-psychological studies of England and America written from a historical focus which tied in his race milieu perspective. Several of his shorter writings were more directly political and constitutional in nature. His Studies in Constitutional Law examined the nature and character of the English and American constitutions and then comparatively analyzed the idea of sovereignty held in England, the United States, and France. Published in Études politiques the year after his death are two other short political writings, La Souveraineté du peuple and La Déclaration des droits de l'homme et M. Jellinek. These works help considerably to fill in this study of Boutmy since they deal more directly with French democratic polity, and, at the same time, help to reveal further the connection between his methodology and his political views.

The motivation that appears to be the basis of his analysis is that of the nineteenth-century liberal who prefers political sovereignty to be grounded in historically developed corporations rather than on philosophical

declarations of popular sovereignty or an abstract theories of the social compact. Only such corporations whose existences are anterior to the constitution itself can give adequate protection to the individual from the threatening tyranny of the state. What informs his study at bottom is his concern for the freedom of the individual.

In his Studies in Constitutional Law he devoted a separate essay to both the British and American constitutional traditions; his views on France have to be gleaned from the comparisons he made and his other essays since he did not give his homeland a special essay. A. V. Dicey aptly characterized Boutmy's approach to constitutional law:

> He shows that, marked as are the contrasts between the English Monarchy and the American Republic, the institutions of the English people on both sides of the Atlantic are in essence though not in form the same, and that they stand in marked contrast with the institutions of France. All the characteristics, he suggests, which distinguish the constitution of England from every one of the constitutions of France reappear, though in a curiously changed shape, in America.[1]

His study sought to grasp the constituting act behind the formation of the Anglo-Saxon governments and to characterize the nature of that action. It was on that approach that he maintained that the English and American experiences were of a similar character and essentially different

---

[1] Émile Boutmy, Studies in Constitutional Law, p. vii.

from the French, even though on the surface the French and American declaration of philosophical principle joined to a written constitution seem to put them together into one category differentiated from the British constitutional order consisting of a series of historical acts linked together and framed by unwritten custom.

At the heart of his analysis of the British constitution is his contention that the present system was formed by corporate entities that existed anterior to the constitution itself and that this background left an indelible stamp on the constitutional structure. He saw in English tradition four principal sources of English constitutional law: treaties, precedents and customs, compacts, and statutes.[2] The form of the four was often similar but there was considerable difference in scope, nature and spirit.

Two treaties became part of the fabric of the English constitutional system: the Act of Union with Scotland (1707), and the Act of Union with Ireland (1800).[3] In these cases two independent sovereignties, each with its own history, laws and institutions, melted into one. Statutes which at one moment belonged to international law at the next instant became part of a constitutional tradition. In the constituting acts, however, room was left for the

---

[2]Studies in Constitutional Law, p. 8.

[3]Ibid.

constitutive elements each to maintain some of its own special laws and customs.[4] For example, in Scotland the official church is the Presbyterian Church while in England it is the Episcopal. Thus Great Britain has two state churches. This toleration for diversity was an important characteristic of the constitutional system. It thus avoids the uniformity and simplicity so characteristic of the French mind.[5] Boutmy's basic appeal here is to two great historical events which have left their mark. Like Burke he believed that an a priori rational framework could not account for the complicated historical development of human society.[6]

In his discussion of customary law, the second great source of English constitutional law, he stressed the wide scope and important role that it played. It governs the organization, privileges and interaction of Crown, Cabinet, Lords and Commons.[7] Leaving this much of the political system to the control of custom may seem to be political naivete but there was a clear object in view.

---

[4]Studies in Constitutional Law, p. 8.

[5]Ibid., p. 12.

[6]Alfred Cobban, Edmund Burke and the Revolt Against the Eighteenth Century (London: George Allen and Unwin, Ltd., 1960), p. 79.

[7]Studies in Constitutional Law, p. 19.

> [The English] have wished for a Constitution in which considerable changes, alterations of power, and unexpected revivals could be made almost without a remark. There has been many a modification of the Constitution in England over which not a word was breathed, nor a drop of ink spilt.[8]

The third source of English constitutional law which Boutmy distinguished was constitutional compact; there were three such acts: The Great Charter (1215), the Bill of Rights (1689), and the Act of Settlement (1700).[9] The compacts were the functional basis for written English law, for what was unique to them was that the king was not an essential element of the same legislative power as the Lords and Commons, but a contracting power against whom the "nation seems to stand up as a distinct and independent power."[10] In each case the reigning monarch or the one who aspired to the throne had to meet conditions imposed by the nation speaking through an extra-legal body.[11]

The significance of the compacts in English Constitutional history for Boutmy was that they arose from an extra-legal and revolutionary element in English political tradition.[12] He took pains to point out this seeming

---

[8] Studies in Constitutional Law, p. 22.

[9] Ibid., p. 26. [10] Ibid., p. 27.

[11] Even in the case of the Act of Settlement which was promulgated by King in Parliament, the new dynasty had to accept it, thus it was a type of compact.

[12] Studies in Constitutional Law, p. 37.

anomaly for he felt the French had missed this note.

> During the last 150 years a prejudice in favour of the English has grown up among the French, and is increased, I believe, by a humble-minded retrospect of their own character and history. Whenever a Frenchman discusses the political system of England the words which occur to him are respect for traditions, moderation, wisdom, regular exercise of political power, and legal resistance. These excellent political customs are actual realities, they have developed and strengthened English liberty, but they did not create it. In England, as elsewhere, liberty was the fruit of a struggle, it was conquered not acquired.[13]

In view of his anti-revolutionary propensities and his desire for political stability, one wonders why he made this emphasis at this point in his study. Did this not imply the value, indeed the necessity of revolutionary struggle for liberty and did this then not imply a more favorable stance vis-a-vis the Great Revolution of France? Seemingly in anticipation of this objection, he stressed the fact that there still existed a crucial difference between the revolutionary traditions of England and France and one of the basic differences was in the historical milieu in which the revolutions occurred. The English Declaration of Rights of 1689 was not concerned with philosophical principles but with traditions and sources. He maintained that in the entire Seventeenth Century, intellectual effort was devoted "to the recognition of authority, the registration of precedents, and the consecration of

---

[13] Studies in Constitutional Law, p. 37.

documents, whence the truths are deduced which forms the creed of the nation."[14] Thus England made her revolutions and won her liberties by appeal to a historical contract between king and people, a contract which not only could be appealed to as justification for resistance to tyranny, but which in addition furnished an example of heroic resistance. The rationalism of the Eighteenth Century had not yet captured the European and English mind. France, in 1789, had no traditions or examples to appeal to and was, in consequence, thrown back upon speculative analysis, a practice re-inforced by the habit of the century. He summarized the difference aptly: England "reminds us not of a theorist discussing his reasons, but of a proprietor with an old title going into court with his title-deeds."[15]

Although Boutmy himself made no comparison between treaties and compacts, there is an obvious similarity for in both cases there is constitutional action going on between two previously existing entities, an action which diffuses the center of power and acts as a buffer against the state for the individual. In this emphasis he echoed Guizot whose doctrine of sovereignty led to the conviction that "the state should be a multiplicity of different powers working in harmony rather than the entrenchment of any

---

[14] Studies in Constitutional Law, p. 38, n. 1.

[15] Ibid., p. 40.

one particular power."[16] This emphasis in relation to sovereignty will become more apparent later when Boutmy discusses sovereignty directly.

The fourth principle source of constitutional law was the statute. Simply defined "they are Acts passed by the two Houses of Parliament and sanctioned by the Crown."[17] England was peculiar in that sense because English law "does not recognize constitutional laws as opposed to and superior to ordinary laws.[18] Constitutional assemblies and legislative assemblies are not legally distinguished. The Declaration of Rights, for example, passed under conditions in which the nation, through a duly elected convention, confronted the candidates to the throne, had to be sanctioned later under the form of ordinary law and by a regular Parliament.[19]

He saw an important and valuable characteristic of English constitutional practice in this unusual procedure. They do not put their trust for constitutional security in an organically unified document which is given unique prominence and splendor.

---

[16]Douglas Johnson, Guizot: Aspects of French History, 1787-1874 (London: Routledge and Kegan Paul, 1963), p. 41.

[17]Studies in Constitutional Law, p. 46.

[18]Ibid. [19]Ibid., p. 47.

> The plan in which they have confided is the very opposite of the French system. They did not intend their constitution to be a compact whole, because a solid body by its very nature is vulnerable. For this reason it is only partly written, and, when it is written, we find the constitutional articles, instead of being marked out and easily distinguished, are purposely mixed up with ordinary laws, and allowed to fall out of view.[20]

This emphasis on the lack of clear distinction between constitutional and ordinary laws is to be found already in Tocqueville--as well as the belief that a good part of its stability is the result of its unwritten character.[21] Dicey raised a pertinent objection to Tocqueville and thus to Boutmy as well. Rather than holding that the constitution was changeable because not in written form it would be more accurate, he claimed, "to assert that the constitution has not been reduced to written or statutory form because each and every part of it is changeable at the will of Parliament."[22] The whole law of the English constitution could be reduced to writing and enacted as a constitutional code without suffering a material transformation of character.[23]

His emphasis on constitutional form at this point is rather curious because at other points he seems to put

---

[20] Studies in Constitutional Law, p. 48.

[21] A. V. Dicey, The Law of the Constitution, pp. 88-89.

[22] Ibid., p. 89. [23] Ibid.

more weight on other factors as the basis for political stability. For example, he did mention that the English believe the legislator is restrained from drastic innovation "by the public spirit of the nation and by the prestige of custom."[24] In his later psychological studies, the inner moral disposition of the race becomes the basis for his analysis and his hopes for the English future. The difference in emphasis may be due to the differing method of approach or perhaps in this case his liberal beliefs were more influential and in the other his psychological methodology.

The strength and stability of the English system comes from its pliability. As he said, "It bends but does not break. It stands not by the strength of its affirmations, but by the studied vagueness of its reservations."[25] That pliability rested on the strong English emphasis on historical descent. The English ideal is to see their rights "growing up by slow degrees and emerging, as it were, from a distant point in the horizon, and from the background of their natural history."[26] They do not attempt to complete, to classify, to make a coherent and systematic whole. The political value of this emphasis on history was twofold. In the first place, a methodical, systematic

---

[24] Studies in Constitutional Law, p. 48.

[25] Ibid., p. 24. [26] Ibid.

constitution provides a constant invitation to attempt a better version, especially one that lends itself to logical improvement, a tribunal from which, as he said, "the right of appeal is indefinite."[27] Secondly, a systematic constitution promises a wholeness and perfection which will cover every contingency, a promise which is impossible of fulfillment.[28] Only frustration can follow. The English have resisted this temptation. The various parts of their constitution have been left where history deposited them. He pointed out that political society is highly complex; different interests are mixed up together; opposing forces run counter to each other. Any attempt to deny this complexity by reducing it to a logically coherent system is to deny the incongruities and contradictions which exist in reality; by recognizing these complexities, social forces are given free play without shaking the foundations of the whole structure.[29]

In his deification of history Boutmy stands as the heir of Edmund Burke who held that a constitution "is made by the peculiar circumstances, occasions, tempers, dispositions, and moral, civil, and social habitudes of the people, which disclose themselves only in a long space of time."[30]

---

[27] Studies in Constitutional Law, p. 24.

[28] Ibid. [29] Ibid., p. 7.

[30] Quoted in Cobban, Edmund Burke, p. 88.

Although political constitutions are made, as Mill said, "by human voluntary agency," the English Constitution was fashioned to a large degree as the result of contests carried on in the courts on behalf of individual rights.[31] Not being made in one stroke, in a rough sense the English constitution does seem to be a spontaneous growth bound up with the life of society. This is what Boutmy valued and admired.

Besides their historic consciousness, the second bulwark of the English constitutional system is the vigor of the English public spirit. They are not afraid of the overlapping areas to which public authorities might lay claim because they believe in the vigilance of the public expressed in the free press and through public meetings, and in the moderation and good will of the public authorities.[32] To those who would object to such easy optimism, Boutmy would reply that a nation is what its race and history have made it and if the public authorities were despotically inclined, a rationally perfect document would not be an effective barrier anyway. When the balance is struck between the French and English systems, "experience seems

---

[31] John Stuart Mill, Considerations on Representative Government, ed. C. V. Shields, 3d ed. (New York: The Liberal Arts Press, 1958), p. 4. See A. V. Dicey, Law of the Constitution, p. 196.

[32] Studies in Constitutional Law, p. 25.

to pronounce in favour of the English system."[33]

In his study of the American constitution, he took a much different turn than one would expect. Born in the same revolutionary age as France, accompanied by a similar declaration of basic principles and setting up a government by means of a complete and systematic document, the American Constitution yet bears a far greater kinship with the British system than with that of the French. A basic fact which qualifies almost all other relationships in the American constitutional system is that the Federal constitution set up a government which was the result of an arrangement by pre-existing states, namely the thirteen colonies; the so-called Bill of Rights, consisting of the first ten amendments, is not a statement of universal political truths such as the French Declaration of the Rights of Man and the Citizen, but is rather a series of guarantees "against the encroachments of a foreign sovereignty of which the President and the Congress are the organs."[34] The Bill of Rights is concerned with states' rights and not abstract rights. The purpose of the various independent states in demanding a Bill of Rights was "that Congress should not be able to perform any sovereign act in any state, and force their citizens in matters in which they

---

[33] Studies in Constitutional Law, p. 49.

[34] Ibid., p. 63.

intended either to leave them free, or to reserve to the state the right of legislation."[35] For example, the sixth and seventh amendments guarantee trial by jury, that is, no law of Congress may take that right away, but that does not prevent the states from sanctioning a judicial arrangement with no jury.[36] In other words, the Amendments do not confer absolute rights on the people, but simply give them guarantees against the federal power.[37] Boutmy missed the trend in American history of state governments losing ground to the Federal in acting directly on the individual citizen. That trend became strongest, however, subsequent to the Civil War and he claimed consciously not to be analyzing contemporary United States.[38] What he was emphasizing here, however, was that the Federal Union of the United States was not a unitary constitution as that of France, but was rather a contractual agreement of the several states, part of whose purpose was to erect barriers against the federal government to prevent its encroachment on their own sovereignty.

The corollary to this peculiarity of construction is that the constitutional system of the United States consists of both the federal constitution and the state constitutions taken together. The federal constitution is not

---

[35] Studies in Constitutional Law, p. 65.

[36] Ibid. [37] Ibid., p. 67. [38] Ibid., p. 73.

a complete whole, but needs to be complemented by the state constitutions. The converse is also true; the federal constitution is the complement of the state constitutions, the former being the pinnacle of the structure, the latter the foundation.[39] Boutmy argued that it is the state constitutions which have the general power to govern; it is from them that civil law, criminal law, and industrial legislation, together with the necessary judges and officials, emanate.[40] The individual citizen chiefly feels the protection and repression of the state government, not of the federal.

His emphasis on the place of the states in the American system was doubtless heavily influenced by his political beliefs which led him to search for the role of pre-existing entities in the origin of the State, but he found some support in the American scholar, J. Franklin Jameson, a contemporary who was then urging the constitutional and political study of the individual states.

> We know, when we stop to think of it, that our constitutional life has been lived quite as much in the state as in the nation, in the branches as in the trunk, that the life of the average citizen has probably more points of contact with the life of the state government than with that of the central

---

[39] Studies in Constitutional Law, p. 70.

[40] Ibid., p. 71.

government.[41]

There was criticism as well. Some of it was direct. In other cases, studies of American constitutional origins stressed a different perspective and Boutmy felt obliged to answer. In response he moderated his position and argued his major points with more care.[42]

Though done in a relatively kindly and appreciative fashion the criticism of Paul Janet, the eminent French philosopher and political thinker, must have stung Boutmy the most.[43] His criticism of the latter was directed against what he considered too sharp a disjuncture between the American and French political ideas and experience in the late eighteenth-century, revolutionary era. Janet did not see two races of people, one turned to abstract theory, the other to custom.[44] Boutmy had laid his basic emphasis on the practical character of the American Bill of Rights, contrasting it with the abstract nature of

---

[41] An Introduction to the Study of the Constitutional and Political History of the States (Baltimore: John Hopkins University, 1886), p. 8.

[42] Boutmy's discussion of the issues may be found in the appendix, "Réponses et Critiques," in the 6th French edition of Études de droit constitutionnel.

[43] For Janet's critique of Boutmy see the introduction to the 3rd or later edition of his Histoire de la science politique.

[44] Histoire de la science politique, 5th ed., 2 vols. (Paris: Alcan, 1913), 1:xvii.

the French declaration.[45] Janet pointed out in rejoinder the abstract rights laid down in the Declaration of Independence, rights based on reason and natural law, also that state constitutions carry statements of natural rights.[46] Furthermore the French rights of 1789 were limited in character and were born out of historical problems and human needs.[47] The differences, which Boutmy had overemphasized according to Janet, arose from the different historical situations. For example, the Americans already had a historical tradition to appeal to while the French did not and the French needed no Declaration of Rights for their constitution since they were not creating a federal system.[48] In reply, Boutmy admitted the validity of much of Janet's criticism but insisted that although the French do have some practical spirit and there are abstract principles in the American documents, yet the basic thrust of the French is metaphysical, the American practical.[49] Janet's criticism served a useful purpose, for Boutmy's response was much less oversimplified and overgeneralized than his

---

[45] See above, p. 202.

[46] Histoire de la science politique; 5th ed., 1: xiv, xviii, xxii.

[47] Ibid., p. xi. [48] Ibid., pp. xvi, xvii.

[49] See "Résponses et Critiques," Études de droit constitutionnel, 6th ed. (Paris: A. Colin, 1913), pp. 281-299.

initial statement had been. His argument concerning American practicality was also better stated. His tendency had usually been to make the American an extension of the Englishman and to keep the eighteenth-century Enlightenment too much confined to the continent of Europe.

An article of John W. Burgess in the first issue of the Political Science Quarterly invited a reply because it struck deeply at Boutmy's interpretation of the origin and basic character of the American constitutional system.[50] Starting from a statement on the conditions of nationality Burgess attempted to show that the nation is the most basic fact in American history and that the temorary pre-eminence of the states under the Articles of Confederation was an aberration. He argued that "the doctrine of the indestructability and immutability of the states is an abstraction which has no warrent either in history or present fact or tendency."[51] He held further that sovereignty resided alone in the people of the whole nation; it could not be claimed as a state attribute nor could a state claim separate independence.[52] Boutmy's essential argument in reply was that throughout the revolutionary era the

---

[50]See "The American Commonwealth: Changes in its Relation to the Nation," Political Science Quarterly 1(1886):9-35.

[51]Ibid., p. 12. [52]Ibid., p. 22.

states were the primary agents of action--the Continental Congress was composed of their delegates. The difference between the Articles of Confederation and the Constitution was only a matter of degree.[53] It is not necessary to follow the details of the argument. Boutmy's whole approach to the American constitution was at stake, hence his response. Both positions were written from basic and opposed viewpoints. Burgess started from a definition of nationality which encouraged him to find such evidence early in American history, thus forcing the picture. Boutmy understood more clearly the place of the states in the revolutionary era but lacked eyes for the developing American nationalism which Burgess understood but read back too far.[54]

The debates outlined above offer nothing new about Boutmy's position but they do serve as examples of cogent contemporary criticism and expose some of the weaknesses of

---

[53]"Résponses et Critiques," pp. 308-331.

[54]The third discussion over the American constitution is not worth following because it lends nothing new for the purposes of this study. Henry Sumner Maine, generally distrustful of democracy, nevertheless extolled the American system in his last essay in Popular Government, 5th ed. (London: John Murray, 1897), pp. 196-254. He saw its excellence in the fact that it was only a slight transformation of the British constitution to fit the American situation. Boutmy criticized him for basing his whole argument on the federal constitution only, thus missing the democratic character of the states. See "Résponses et Critiques," pp. 333-345.

his interpretation of the origin and nature of the American constitutional system.

Generally his analysis of the American system was quite static but as he moved away from consideration of origins he did see development in the constitution by way of judicial interpretation. It served the Americans much as customary law served the British. The constitution gives the appearance of an unchangeable law, but new interpretations and practices have fostered a complementary law which, although not changing the appearance, has subtly altered the workings of the system.[55] This is a phenomenon which the French are prone to overlook since the changes which have occurred in the constitutional order of things in France are handled there by entering the details of the change in authentic documents.[56] The evolution of the Senate's role in the political order was an example of this kind of subtle shift in the United States.[57] He held that in the beginning of the Federal Union, the Senate was a collection of agents of the states, ambassadors, as it were, to the federal government. It also served as a kind of council which gave advice to the governing executive; its legislative role was not taken very seriously. In the

---

[55] Studies in Constitutional Law, p. 74.

[56] Ibid., p. 75. [57] Ibid., p. 76.

American system the permanent committees are the organs of legislative function; the revealing fact, in this regard, is that the Senate had no such committees for over twenty-five years.[58] By degrees the Senate became a second legislative chamber and absorbed a marked national spirit; this shift is hidden, however, from those who look only to constitutional documents or statute law.

Thus in two important respects the British and American constitutions are similar to each other and markedly different from that of France. The Anglo-Saxon constitutions originated as a kind of pact or treaty created by pre-existing, corporate entities; secondly, along side of written constitutional and statute law lies a body of custom which brings about changes and shifts in emphases which follow the twists and turns of political history. Both of these traits typical of the Anglo-Saxon political systems were articles of faith for him and pillars for political stability and the freedom of the individual.

In his consideration of the spirit of the American system, he emphasized the distinction between the federal and state institutions. At the federal level there was a reluctant, almost anti-democratic spirit at work.[59] By the

---

[58] Studies in Constitutional Law, p. 75.

[59] Ibid., p. 111. Cf. "Responses et Critiques," p. 334.

time of the constitutional convention, many of the founding fathers had become pessimistic about democracy, but submitted to a popular government because all the historical, social, and economic characteristics necessary for an aristocracy or monarchy were lacking; thus democracy became the basis of American politics by default.[60] In support of that interpretation he pointed to the presidential electoral system, the long terms of elected officials which in effect suspends the sovereignty of the people for several years, the power of the Senate, the length of senatorial office terms, and the role of the Supreme Court whose justices are appointed for life. The intention of the founding fathers was, he held, to create a nation of states whose independence was preserved and yet to convey to foreign eyes the impression of a united people.[61]

The truly democratic spirit of America must be found in the state constitutions. But even there the democratic spirit is unique; Americans did not have to struggle against an entrenched aristocracy and so had no need of abstract metaphysical doctrines as France did. American democracy remained practical and realistic, "further removed from the French democracy than is any European

---

[60] Studies in Constitutional Law, p. 112.

[61] Ibid., p. 119.

constitutional monarchy which has been touched by the breath of the heroism and the idealism of the French Revolution."[62] For Boutmy, it was physical environment that explains the peculiar character of American democracy. In order to attract sufficient labor to exploit the untouched lands of the frontier, America had to promote very liberal and democratic legislation.[63] The universal proclamation of religious liberty made by the various colonies was as much the result of this need for settlers as it was the result of the tolerance of the Eighteenth Century.[64]

Boutmy concluded his study of the American Constitution by re-emphasizing in a final summary the difference between the American and French constitutional systems. He argued forcefully that "France is essentially a democracy, and is so with all the heat of a religious believer and all the precision of a scholastic logician."[65] Universal suffrage was established in France not out of some notion of practical unity, but out of a desire to draw fresh inspiration from popular feeling and because logic dictated it from the twin principles of the sovereignty of the people

---

[62] Studies in Constitutional Law, p. 127. Boutmy missed here the common ideological underpinnings of the American and the French revolutions. See above, pp. 205-206.

[63] Ibid., p. 129. [64] Ibid., p. 130.

[65] Ibid., p. 136.

and the equality of civil rights.[66] Universal suffrage in America was established to meet commercial, industrial and agricultural needs. He concluded his study of America with a warning that gives a pointed clue to the purpose of his study.

> He who does not keep these facts before his eyes will fall into errors as to the nature of the evolution, and the destiny, of this out-and-out democracy, and also as to the lessons and warnings which he may legitimately draw from the American democracy for the benefit of France.[67]

To get at Boutmy's views of the structure and nature of French democracy involves a particular problem because he nowhere addressed himself pointedly to that issue. Doubtless he felt that Taine's major study, The Origins of Contemporary France, served that purpose. At any rate it is necessary to reconstruct his analysis of the French constitution from the comparisons he made between the Anglo-Saxon constitutions and the French system in his psychological studies and from other shorter works. Two works very helpful in that respect are his analysis of sovereignty in Studies in Constitutional Law and La Déclaration des droits de l'homme et du citoyen et M. Jellinek. The latter is a polemical answer to a book published by Georg Jellinek, a German professor, translated into French

---

[66] Studies in Constitutional Law, p. 136.

[67] Ibid., p. 137.

in 1902, which alleged that the origins and the example of the French document are to be found in the American Bill of Rights.[68] Boutmy published a reply to Jellinek which throws additional light on the emphasis that he made in his comparative studies and in this case underscores the differences between French and American Democracy.[69]

Boutmy summarized Jellinek's thesis as follows:

> The Declaration of Rights did not, as had been widely held, stem from the Social Contract but is its very antithesis. As can be demonstrated by the most cursory textual comparison, the origins and models of the Declaration may be found in the Bills of Rights at the head of the constitutions of the American states which went into effect between 1776 and 1789.[70]

That he would react to Jellinek's interpretation of the origin of the French Declaration is not surprising for the latter's thesis concerning American influence runs counter to his emphasis on the differences in origin and spirit of the two constitutions. Furthermore, since Jellinek looks to the state constitutions as the source of influence, his interpretation was important to combat; Boutmy himself emphasized the states as the basic source of government in

---

[68] G. Jellinek, La Déclaration des droits de l'homme du citoyen, trans. M. Fardis (Paris, 1902).

[69] Boutmy's reply published as "La Déclaration des droits de l'homme et du citoyen et M. Jellinek" in Annales des sciences politiques 17(1902):415-443, was republished in Études politiques, (Paris: A. Colin, 1907), pp. 119-182.

[70] Études politiques, p. 120.

America.

It is not germane to the purpose of this study to follow the discussion in detail, especially that which primarily touches American constitutional origins. Boutmy's reply to Jellinek largely follows the line of thought used against Janet. Admitting that there was a fund of eighteenth-century philosophical ideas common to both the French and the Americans, he maintained that the two nations approached even similar matters very differently because of their different historical milieus. The significant part of the discussion for this study is what he says about the origins and character of the French constitution.

Against Jellinek, Boutmy reaffirmed the impact of Rousseau specifically, and the entire fund of eighteenth-century ideas generally, on the French Declaration of the Rights of Man and the Citizen. That Rousseau's thinking was historically formative was no accident; according to Boutmy, there was a vacuum in the social and political milieu in which the French mind was drawn to speculative analysis, a tendency already characteristic of the Eighteenth Century.[71] The institutions of the ancient regime had only the appearance of reality; they had long since

---

[71] Études politiques, p. 127.

become outmoded or canceled by royal decree. Since the institutional forms were so devoid of living tradition, the French mind was forced to turn to speculative reason.

With speculative reason being the chief source of the French constitutional system, the product acquired a symmetry and logical character consistent with its source. The document was conceived all at once, it was promulgated on a single day, and it embodied all the rights of government and the guarantees of liberty in an interconnected whole.[72] The constitutions of the revolutionary period resemble mathematical demonstrations or scientific classifications, and they set the tone, Boutmy asserted, for the democratic constitutions that followed.[73]

A second characteristic of the French political system can also be traced to the Great Revolution; since all the institutions and corporate entities of the old regime were abolished by the revolution, the only organization left standing was the whole body of the people.[74] Democratic France has no history, no corporations which have acquired a life of their own fashioned by the influence of a social and political milieu; instead France is motivated solely by a consciousness of the national spirit.

---

[72] Studies in Constitutional Law, p. 5.

[73] Ibid. [74] Ibid., p. 145.

Since 1789 there have been kings, but no royalty, assemblies of representative individuals but, organically speaking, no House of Peers, no Senate, no Chamber of Deputies. These bodies were created by statute, and the will of the whole people is their very soul. He sees in this characteristic a serious political weakness.

> This national will is the will of a day only; it is now strong and powerful, now nerveless and languid; enthusiastically active today, tomorrow passive even unto indolence. . . . Public organization in France is wanting in the lofty esprit de corps, and the comprehensive and admirable self-reliance, exhibited by great corporate bodies existing for partial or special objects, by whom moral life is kept at a constant average level.[75]

The effects of such a logically deduced and symmetrical system which has no roots beyond 1789 and which follows the daily oscillations of the popular will are not difficult to predict--political instability and a unitarian constitution, a combination in which both elements affect each other. In a political system based on and immediately responsive to popular will and feeling, political crises rapidly become constitutional crises and with no anterior entities to hold the nation together, the collapse of a government invariably necessitates a whole new constitutional machinery. Such vacillation and instability make it very difficult to create a strong government. Given his

---

[75] Studies in Constitutional Law, p. 146.

emphasis on racial and environmental formation, he did not, however, fall into the error of making a flat application of the Anglo-Saxon political experience to the French. He also saw a strong movement in England and America toward greater popular democracy and he warned of possible dangers in such a trend.

The immediate source of Boutmy's analysis of the French constitution is clearly Taine who wrote the following concerning Rousseau's theory of the social contract:

> For there are two sides of this theory; whilst one side leads to the perpetual demolition of government, the other terminates in the illimitable dictation of the State. The new contract is not a historic fact . . . entered into by actual and living individuals, admitting acquired situations, groups already formed, established positions, and drawn up to recognize, define, guarantee and complete an anterior right. Antecedent to the social contract no veritable right exists; for veritable rights are born solely out of the social contract, the only valid one.[76]

Beyond Taine this tradition of thought goes back through Tocqueville to Burke.[77] Boutmy was using venerable weapons to tame a venerable enemy--French Jacobin democracy.

It is possible now, having seen how he analyzed the source and character of the English, American and French

---

[76]The Ancient Regime, p. 244. Cf. Taine's statement of faith on p. vi of the same work.

[77]Harold J. Laski, "Alexis de Tocqueville and Democracy," pp. 110, 113. Also Richard Herr, Tocqueville and the Old Regime (Princeton, New Jersey: Princeton University Press, 1962), p. 58.

constitutions to understand his analysis of sovereignty, the topic of his third section in Studies in Constitutional Law. He maintained that a nation's conception of sovereignty is greatly illumined by a consideration of the history, origin and nature of the constituent act, "the act whereby a sovereign power in a State creates a constitution."[78] The key to understanding sovereignty was to understand the forces and political groups that existed prior to the present constitutional arrangement and the nature of the structure created by the constituting act. In his first two essays on the English and American systems he had already set the stage. All that was needed now was an explicit comparison with France. For reasons indicated earlier his comparison set off France over against the Anglo-Saxon systems.[79]

In the case of England the constitution had developed from a series of varied acts, arrangements, agreements, and compacts between powers which already existed and had an acknowledged place in society. Thus the existence of those powers did not rest on an act of national sovereignty; on the contrary, the English constitution was created by them. As he put it, "The Constitution is

---

[78] Studies in Constitutional Law, p. 141, n. 1.

[79] See p. 191.

nothing but the bringing to light of the settlement of frontiers fixed from time to time between these immemorial forces."[80] Even the subordinate, local authorities have a long and venerable history, partially fixed by custom, a history which involved a consciousness of a distinct life, an existence which did not depend on a grant from any other source.[81] In England the nation is an aggregate of forces which constantly make and remake the constitution by their endless interplay.

The United States has a very distinct conception of sovereignty. On the state level, political organizations had to be created from nothing and in that respect they resemble the French constitution. Even the federal constitution resembles the French in two respects--it is based on an act of national sovereignty and all the federal authorities receive their existence and powers from that act.[82] In a deeper sense, however, the American experience on the federal level is more like that of the British in that the federal constitution was created by sovereign states, each of which had its own previous existence and uniqueness. Boutmy emphasized the following point as a distinct difference from France.

---

[80] Studies in Constitutional Law, p. 149.

[81] Ibid., p. 150. [82] Ibid., p. 152.

> In the United States it is the American people which was the artificial element, and, so to speak, created from above. Here it is not the nation which made the Constitution, but the Constitution which created the nation.[83]

Until 1860, he maintained, the political history of the United States is largely the history of struggle between those organized powers which existed before the Constitution.[84]

France derives her state sovereignty in an entirely different manner. Like Tocqueville and Taine he saw the Revolution as having leveled all organizations and forces which derived their existence from an earlier day.[85] Thus there was nothing left but a homogeneous mass of an immense number of human atoms and from this mass were created bodies for the purpose of governing, but they are arbitrary, without independent life.[86]

Important consequences flow from these different circumstances behind the constituting act. In France, since there was nothing solid beyond the individual, it was necessary to give the matter of individual rights

---

[83] Studies in Constitutional Law, p. 152.

[84] Ibid., p. 153.

[85] Cf. Taine, The Ancient Regime, p. 245; Alexis de Tocqueville, The Old Regime and the French Revolution, trans. Stuart Gilbert (Garden City, N.Y.: Doubleday and Co., 1955), pp. 19-21.

[86] Studies in Constitutional Law, p. 145.

pre-eminent concern. The nation can be nothing but the whole body of citizens, the sovereignty is the will of all the citizens, though practically it is the will of the numerical majority. In drawing this consequence Boutmy argued a point which was central to his conception of his life task and is worth quoting at some length.

> In France, since 1789, this majority has been in fact the sole and necessary source of all legitimate authority. The existing powers are all creations of this majority, and all are based on the constitution which is its work. Any power which is suspected of not representing it, or of misrepresenting it, loses in a sense, its justification for existence, and is marked out by this want of harmony for immediate destruction or transformation. There is no fulcrum outside the majority, and therefore there is nothing on which, as against the majority resistance or lengthened opposition can lean. This is why all French political systems always gravitate automatically and rapidly towards unity and homogeneity of powers. The progress of enlightenment and of wisdom are the only resources against this kind of instinct inherent in French institutions.[87]

Here is Boutmy's position in summary form. French democracy, due to its revolutionary origins, has no anterior forces between the State and the individual and since there is no recourse against the popular will for the tyrannized individual, the only relief is a system of political education free of state control, a system which would ostensibly teach the French political and civil elite how to avoid the temptations to tyranny inherent in a unitary

---

[87] Studies in Constitutional Law, p. 156.

constitution. The solution is not a slavish imitation of the English system, which is impossible anyway, but a solution which is based on a careful analysis of what the French system is due to its historical formation.

Up to recent decades the English and American conceptions of sovereignty were based not on the people but on the forces which created the constitutional system. In English constitutional law, the word "people" did not refer to those individuals making up the English State but was an equivalent for King, Lords, and Commons together.[88] Those corporate bodies were the only entities entitled to the electoral process; only since 1832 has the law recognized the individual as possessing any political rights. In the successive reform acts concerned with the electoral franchise the English electoral system was moving rapidly toward the French.[89] The American system, like the English, reserved political rights for the bodies that created the constitution, not for the individual citizen. He held that the amendments to the federal constitution do not bind the states but the federal government and that they guarantee the means of protection to the individual but not the means of political rights.[90] The states alone have active

---

[88] Studies in Constitutional Law, p. 156.

[89] Ibid., p. 159. [90] Ibid.

political rights and thus are the real organic elements of the political body. Boutmy ignored at this point the fact that although on the federal level the constitution was dealing with states, the state constitutions do contain abstract statements of natural right which are inherent in the individual prior to political society. Janet forced him to acknowledge that fact later.[91]

Another important consequence of the different constitutions is the way in which the central power plays upon the individual. With nothing between the individual and the State in France, a profound idealism and optimism is generated.[92] Nothing stands in the way of the utopian tinkering of the social scientist who sees before him a plastic political reality amenable to his touch. The State becomes presumptive and inclines easily toward socialism. At the same time in France, the significant role given to the individual citizen as the source of all sovereignty has led to their emphatic assertions concerning the rights of all citizens. Boutmy emphasized this as the glory of the French tradition.[93] The Declaration of Rights of 1789 has

---

[91] Histoire de la science politique, 5th ed., 1: xviii & xix. Boutmy's reply is in "Responses et critiques," p. 291.

[92] Studies in Constitutional Law, p. 163.

[93] Ibid., p. 164.

stated the principles of liberty and justice for all in such a way that they have become the models for all subsequent constitutional legislation. These two tension laden tendencies make up the dynamics of the French democratic system.

Being by nature a kind of treaty, the Anglo-Saxon constitutions escape both tendencies of the French system outlined above. The great corporate bodies who made up the constitution serve as a kind of buffer against individual license or state despotism.[94] The Anglo-Saxons are also removed from the temptation of seeking after a supreme social good such as absolute justice, since the object of a treaty is compromise or balance between contending parties.[95]

The origin of the several constitutional systems has also left its mark on the form of the constitution. Due to the impact of the Revolution the French constitution makers had a free and clear space before them and they naturally built a symmetrical and logical creation.[96] With no precedents everything had to be newly enunciated and in conformity with universal principle. The logical and harmonious perfection had to be the guarantee of stability.

---

[94] Studies in Constitutional Law, p. 166.

[95] Ibid. [96] Ibid., p. 167.

The Anglo-Saxon constitutions naturally bear a form consistent with their character as treaties. Their constitutional systems reflect the incoherence, diversity and complexity of the state of affairs with which it is concerned.[97] Even the American federal constitution, which professes to be a coherent document, is basically a compromise between conflicting parties which is concerned with concrete and varied interests. Boutmy held that the Anglo-Saxon constitutions are freer, more supple and yet more stable because they are more sensitive to the illogical vagories of human history.[98]

This comparative analysis of political sovereignty seems to rest substantially on the political thinking of Guizot who tried to find a refuge from human tyranny by locating sovereignty only in God and then justifying only those human governments which ruled according to justice, truth and reason.[99] For him such a government was representative government in the hands of those who had the capacity to seek for and discover truth.[100] In practice that meant for Guizot the denial of supremacy to any single

---

[97] Studies in Constitutional Law, p. 169.

[98] Ibid., p. 170.

[99] Johnson, Guizot, p. 39.

[100] Ibid., p. 40.

power in the state; instead "the state should be a multiplicity of different powers working in harmony."[101] As a sceptical Protestant Boutmy seemed less concerned about God's prerogatives and defined sovereignty in relation to the historical origin of the constitutional order. Like Guizot, however, he preferred a constitution which was based on the mutual interests of historical entities.

In the last few pages of his Studies in Constitutional Law he pointed out that a common democratic and nationalistic movement was sweeping all three nations.[102] As that movement comes to fulfillment, he predicted, England and the United States would also acquire a simple political constitution founded on the will of the numerical majority. Logic will reign there also as tradition retreats.

> Logic will in consequence be forced to rely on its own resources alone, and from these, combined with a more complete and minute knowledge than now exists of the objects aimed at by a constitution, will have to provide those checks on sudden change which policy now draws from custom, tradition and other sentiments which do not originate in the rational part of human nature but are derived from past history.[103]

In such a situation he believed with Guizot that the only

---

[101] Guizot, p. 41. Cf. Representative Government in Europe, p. 267.

[102] Studies in Constitutional Law, p. 173.

[103] Ibid., p. 174.

defense against the instability which arises from vacillation of the public will was the creation of an educated elite who knew the ends sought by the constitutional order and could keep the body politic on its proper course.

Though he saw democracy as the great wave of the future like Tocqueville before him, he gave little detailed indication of how to deal with it. One essay, "Concerning the Sovereignty of the People" does provide an indication of his attitude toward democratic polity, however, and how a liberal with his background and beliefs can justify working within a democratic system.[104] Not surprisingly, his analysis is founded once again on the distinction between a polity based on abstract rational principle and a polity evolving from a historically conditioned milieu.

He started his discussion of popular sovereignty by a consideration of the ancient democracies of Greece and Rome. He saw two vital characteristics present in their polity. These ancient states built on what was most noble in the people because the State rested on religion.[105] Secondly, the transition from oligarchy to democracy was

---

[104]First published in the Annales des sciences politique in 1904, the article was republished as the first study in the Études politiques, pp. 3-115, in 1907, the year after his death.

[105]Études politiques, p. 19. His interpretation of the religious character of the ancient city-states followed closely that of Fustel de Coulanges in The Ancient City.

achieved by the extension of rights inherited from a historical corporation spread out by degrees to an ever increasing number.[106] Even Roman imperial rule was justified on the basis that the emperor spoke for the people.

Rousseau's theory of popular sovereignty, on the other hand, was entirely an abstraction. The statement--the people is sovereign--is the positive form of a negative statement, namely that men should not be subject to a single individual or a small number of others.[107] That postulate assumed historical importance in the struggle against an entrenched aristocracy and monarchy. Having acquired considerable majesty, when the battle was won, the idea remained in force; the remaining question was one of application. Boutmy argued that it was impossible to consistently apply an abstraction to real life. For example, the electoral procedure in the Constitution of 1875 was removed four degrees from the people.[108] Furthermore civil servants who actually rule over the people from day to day are not affected by elections.[109] No matter what electoral system one chooses, even including the general vote, practical difficulties make it impossible to implement

---

[106] Études politiques, p. 24.

[107] Ibid., p. 30. [108] Ibid., p. 38.

[109] Ibid., p. 40.

effectively the principle of popular sovereignty.

The problem lies, he maintained, in the view which equates the general vote as the practical application of the philosophical principle of popular sovereignty. The general vote has its proper place, however, viewed from an entirely different perspective. It has a positive character if it is considered not abstractly, but historically, as a necessary fact brought about by the change of society.[110] The perspective that he advocated rests, as one would expect assuming his methodology, on the view that even metaphysical principles have an experimental or historical basis.[111] Applied to the problem under discussion, Boutmy insisted that the "natural man" of the eighteenth-century philosophers simply did not exist; he is an abstraction. All of man's ideas and values rest on the relationships he has established in society and since the State is the peculiar form a given society assumes, political principles are identical with social interest.[112] In that context, the principle of the general vote as the expression of popular sovereignty must be recognized as historically contingent and not one of society's organic

---

[110] Études politiques, p. 62.

[111] Ibid., p. 67. [112] Ibid., p. 66.

laws.[113] With the rebellion against ecclesiastical authority in the Renaissance, the formation of public opinion with the rise of widespread leisure and education, and the social evolution of industrialization, the general vote and its corollary, popular sovereingty, was accepted as the right whose authority rests on an accepted fact, not as absolute right.[114] Thus the general vote emerged out of historical necessity, not on the basis of abstract theory, and as such it cannot be repealed or resisted.

If the general vote has arisen because of a kind of historical determinism, Boutmy and his contemporaries faced a real dilemma. How does one regulate the general vote in a mass democracy with its penchant for irresolution and instability? Was one to seek to hold back the evils of the system, in effect carrying on a rearguard action in a lost cause? Were other alternatives possible within the framework of historical necessity? The problem, for Boutmy, lay in the fact that political equality is obviously a fiction; it has no relationship to all the differences of sex, age, health, intelligence, education, competence and wealth.[115] The general vote is simply a necessity because of the impossibility of politically calculating all the differences

---

[113] Études politiques, p. 76.

[114] Ibid., pp. 77-84. [115] Ibid., p. 88.

embodied within the electorate. Even beyond that obvious problem, all the various kinds of inferiority and superiority are mixed together within the same individual.[116]

He pointed out that various systems of franchise have tried to recognize and weight some of the inherent inequalities in terms of the categories of competence and interest, but in each case difficulties have accompanied the distribution of the vote.[117] Interest and competence can in no way be identified with class, degree of wealth or degree of education. Taine's education, for example, had only made him more sceptical about being able to vote wisely. Merely to choose a deputy is as much within the competence of the worker as the bourgeoisie. The worker has as much at stake as the industrialist in the direction of society. In short, the general vote is the only alternative to the difficulty of weighting the franchise on the basis of the natural inequalities of man. Furthermore, it has the positive value of diminishing the threat of civil war for everyone has had an equal voice in the determination of society's affairs.[118] The greatest weakness of the of the democratic system is that it allows no restrictions or counterpoise.[119] There is no constitutional barrier to

---

[116] Études politiques, p. 89.

[117] Ibid., pp. 89-106. [118] Ibid., p. 106.

[119] Ibid., p. 109.

prevent the people from acting out of passion and prejudice to its own hurt, short of experiencing the negative consequences of such action.

The final conclusion that Boutmy reached after this involved discussion was simply that Rousseau's principle of popular sovereignty was essentially negative and contingent, historically formulated in a positive form against certain injustices of the old regime.[120] The general vote, the practical application of this negative principle, contains within itself serious deficiencies, but human experience has thus far shown it to be least defective franchise system and also the easiest to implement.[121] It has had, furthermore, a certain historical development. One should not be either optimistic nor pessimistic because of such a conclusion since it is the result of history, experience and progress.[122] One must simply cope with affairs in the light of what race and milieu have historically brought about. What is needed, then, are political leaders sensitive to that historical formation and able to govern accordingly, free from captivity to illusory abstract concepts. It is at that point particularly that political education was to play its role.

---

[120] Études politiques, p. 112.

[121] Ibid., pp. 112-113. [122] Ibid., p. 114.

His discussion on popular sovereignty is exceedingly interesting for it reveals the dilemma of a mind caught between a belief in historical determinism and a system of political values which transcend all historical epochs. He should have accepted even an abstract, metaphysical definition of popular sovereignty if that was the point to which the historical development of the nation had brought it. Instead he tried to redefine popular sovereignty and the general vote in terms congenial to his own liberal and historical views. Then on the basis of his redefinition, with his ideology justified, he could assume his role in educating French democracy. Even so, the problem remains. If France was heavily influenced by Rousseau could one or should one attempt to frustrate the determined twists of history?

Critical reaction to his Studies in Constitutional Law was much more favorable than to his more psychological studies. As indicated above the greatest discussion centered around the character of the American constitutional documents. Other reactions mostly were favorable or pointed out areas where his treatment was inadequate.[123]

---

[123]For examples, see the following reviews: Anonymous, Review of Studies in Constitutional Law, by E. Boutmy, The Critic 16(July-September, 1891):116; John F. Crowell, Review of Studies in Constitutional Law, by E. Boutmy, American Academy of Political and Social Science 2(1891-1892):103-104; Auguste Arnauné, Review of Études de

Burgess pointed out with justice that he failed to recognize the immense changes in public law brought about by the thirteenth, fourteenth and fifteenth amendments.[124] Having noted his failure to consider development above it is not necessary to dwell further on it here. There are, however, strong elements in his work as well.

In his comparative study of political sovereignty is to be found some of his greatest insights. By studying the character and historical circumstances of the constituting act, he exposes his reader to the essential characteristics of a given political system and reveals the dynamics within which political history occurs. By the use of comparative method, the relative strengths and weaknesses of America, England and France are laid bare for consideration. He has grasped very clearly the American problem of division of power between the various political bodies, the English reliance on tradition without the counterweight of theoretical principles, and the French deification of abstract principles without the mediating influence of historically formed entities. His methodology was a positive factor in the sense that it pushed him to ask

---

droit constitutionnel, by E. Boutmy, Annales des sciences politiques 1(1886):618-620.

[124]Review of Études de droit constitutionnel, by E. Boutmy, Political Science Quarterly, 1(1888):507-508.

fundamental historical questions; it was weakest when it presented reasons for historical phenomena based on physical milieu. His political values pointed his research in certain directions, often overemphasizing some factors, underestimating others, but in those areas where his research was not unduly affected by his methodology Boutmy had considerable insight and his voice deserved to be heard.

CHAPTER VII

BOUTMY'S PLACE IN HISTORY

Boutmy took his place in French history as one among the last generation of liberals who sought to mold the political system of France according to their vision. Their experience had not been a happy one. Caught between monarchy and Bonapartism on the one hand and Jacobinism and socialism on the other, their efforts were largely confined in the vissicitudes of history to tempering and slowing trends beyond their control rather than establishing and building a political structure of their own design. Boutmy's task, as he himself perceived it, was to educate and moderate French democracy through his writings and the work of his school. This last chapter will examine that task and place him in the liberal tradition to which he was heir and representative.

His writings were almost exclusively directed toward broad political and constitutional principles rather than specific political issues of his day. Perhaps that focus was due to the fact that contemporary issues and problems, at least in his mind, were rooted in a constitutional system foreign to his own preference, thus he had to attack the problem at a different level. At any rate it

is essential in evaluating his role to reconstruct his political beliefs which formed the substratum of his writings on Great Britain and the United States. It was those principles, he believed, that France had to take to heart if she was to achieve stability and create the kind of society most conducive to individual welfare. What was the message Émile Boutmy presented to his countrymen? To what extent were his ideas internally cohesive and logically consistent? What was his place in the intellectual traditions of his era? Were his ideas historically relevant?

Throughout his life, though he viewed the advent and development of democracy with foreboding and anxiety, he nevertheless maintained a hope and an optimism that is difficult to explain. As noted above, he shared Taine's low estimate of the constitutive nature of man, especially the capacity of man to act by reason rather than passion.[1] Whenever he had occasion to comment on the effects of mass involvement in public life, his writings reveal his negative view. It affected his view of elected political assemblies. It was behind his fear that when the masses fully realized their political muscle, there would be little chance to ward off the advent of socialism. If the masses lived brutally, and ignorantly and by their passions

---

[1]See above, pp. 10, 142-43.

and political trends were placing power in their hands, one wonders how he could have any hope at all. It is difficult to assess accurately how pervasive and deeply rooted this view of man was. He did not comment on it as often or as directly as Taine, nor is the tone of his writings as dark. If he had been as pessimistic as his mentor the Ecole libre would never have been founded.

There were at least two factors that mitigated Boutmy's fears about the future, altered the tone of his writing, and made possible his energetic labors. In the first place, a belief in an optimistic social Darwinism consistently animated his writings. It was not just a general, ambiguous belief in human progress, but a well-formed belief in the improvement of the human species through natural selection, a belief regarded as natural law. Speaking of the English gentry's tendency toward paternalism, he revealed his faith when he asked, "How can they understand the advantages of the 'struggle for life' which is the principle of all improvement, and at the same time the highest guarantee of individual liberty?"[2] He saw hope for the English working classes in the light of Darwinism because they were "the product of a natural selection exercised at the expense of the agricultural class. Only the strongest

---

[2]The English People, p. 235.

and most resistant had quitted the rural for the urban districts, and they were also the best and most honest."[3] It was the working of natural law that produced the English character whose traits he admired so much. He wrote, "In short, the basis of the English character is that produced by the most eager competitions, and deafest and blindest of 'struggles for life'."[4] If this was the case with the English, then there still must be hope for France. Out of the masses there will rise inevitably the finest of the species, an elite of land or wealth or education.

It is at this point that the second factor responsible for Boutmy's relative hope for the future is to be found. Although he nowhere systematically expounded his views of natural selection, he clearly believed that man is capable either of fostering or of retarding the evolutionary process. Man can and must make a conscious attempt to assist the upward movement. One could see the negative side of man's efforts in the evolutionary process of eighteenth-century England. The agricultural laborer of England represented the negative side of natural selection, but it was Tory Socialism, the poor-rate and the workhouse that put the finishing touches to the degradation of the

---

[3] The English People, p. 250.

[4] Ibid., p. 131.

class.[5] Contrariwise, it was when the principle of natural selection became a general maxim in England that the English had a decisive argument for declining the intervention of the State.[6] In France the concept of natural selection did not play a conscious role in political thinking, but the creation of an elite could be assisted by human agency and it was at this juncture that he found his work--the creation of an educated elite who could be taught to govern and administer France consistent with their national character. There was still hope for France in spite of the poor quality of the human material, hope girded by the guarantee of natural law and guided by human agency informed by an understanding of the French character and enlightened by the comparative study of other nations.

In his writings on the Anglo-Saxon political system, several themes revelatory of his view of the French situation emerge again and again. One of the most pervasive is his emphasis on French abstract rationalism and its generally negative effect on politics and government. The eighteenth-century intellectual milieu drew the French mind toward speculative analysis as the only weapon against the historically entrenched position of the crown. When the

---

[5]Boutmy, The English People, p. 242.

[6]Ibid., p. 246.

first constitution was written in the course of the Revolution, the only source was speculative reason, hence the symmetry and logical character of the document. All democratic constitutions that followed were built upon this original pattern. He saw grave flaws in such a structure. Democratic politics follows the daily vacillations of the public will and the collapse of a government requires a whole new constitutional mechanism. Furthermore, politics based on doctrinal convictions magnify minute differences and government is based on fragile coalition. Whenever any serious problem occurs, politicians rush to create a more logically consistent constitution and the whole pattern begins again. He clearly preferred a constitutional tradition like that of England where years of accumulated compromises, bargains, adjustments and shifts have created a living tradition within which political leaders have learned how to tinker and correct without pulling down the whole structure to make a new one logically symmetrical and coherent.

One of the grave defects, in Boutmy's eyes, that afflicted the French political system grew out of their love for abstract reason and logical symmetry. The French have become revolutionary in spirit. In situations which require reform they are impatient and seek the perfect, logical solution; as a result, revolution is always just

around the corner because when political difficulty arises, the French seek to solve it by creating an entirely new system which is more precise and symmetrical than the one before. He pointed to the French experience since the Great Revolution--France has had thirteen constitutions in three quarters of a century. "All these constitutions were apparently fortified and entrenched in a marvellous manner against sudden changes, yet everyone was carried by storm at the first assault, outworks and all!"[7]

Existing social reality formed of the vicissitudes of history was too complex for the French approach to work. All kinds of "happy incoherencies, useful incongruities, and protecting contradictions" exist in social institutions because they exist in the nature of things.[8] The British system takes account of that reality by finding its political security "in the vagueness of custom, in the retiring and commonplace character of ordinary law, and in leaving their constitution without a name in the midst of a crowd of statutes."[9] He felt that history testified to the superiority of the British system.

A second pervasive theme in his writings, a theme which highlights an important danger in the French political

---

[7]Constitutional Law, p. 49, n. 1.

[8]Ibid., p. 7. [9]Ibid., p. 48.

structure since the Revolution concerns the relationship between the individual and the State. The Great Revolution had abolished all organizations, groups, and forces which owed their existence to a period prior to the Revolution itself. Thus there was nothing left from which to form the State but an immense mass of human atoms; when the State was formed from such material there were no intervening entities between the individual and the State.[10] In such a system there is no refuge for the individual citizen. The State acts directly upon him. This invites tyranny, for power seems to have an inherent corrupting influence.[11] Very few individuals are able to resist the temptations and the demoralizing influence of unlimited authority. Both the British and the American constitutions were formed by and from pre-existing bodies, and the continued existence of groups or forces which do not owe their existence to the constituting act serve as a shield for the individual. Another problem further endangering the individual in France is the Frenchman's tendency to look to the State for his welfare and protection. The revolt against the ancien régime was so recent that the French still had not overcome man's spontaneous inclination to turn to the State for

---

[10]See above, pp.216-217.

[11]The English Constitution, p. 26.

assistance rather than to other bodies or associations.[12] The English had developed in the course of their history a natural fear of the State. They never call on the State to assure fair play between individuals because they fear the potential oppression of the State more than the struggle against the foul play of an individual opponent.[13]

His emphasis on man's natural inclination to turn to the State is curious. Whatever is natural should be the result of race or milieu, yet he implies the English had overcome such a natural inclination by the very impact of race and milieu in the course of their history, while the French had not. One would expect, rather, that whatever the attitude of a given people toward the State it is the result of historical determination and one should either call that natural or drop the term, at least on the basis of his method. He raises the question by his inconsistent use of the word natural whether there is, after all, such a thing as a primitive disposition altogether apart from the influence of the earliest natural and social environment.

In summary, Boutmy saw two great flaws in the contemporary French political system--the French inclination for rational abstraction and, interwoven with that, the

---

[12]The English People, p. 205.

[13]Ibid., p. 201.

Revolution's levelling impact on the associations and structures of French society. Committed to a parliamentary system, the Third Republic inherited a serious instability by its anti-historical stance. Political parties were committed to ideological positions and there had been no time or opportunity for a political aristocracy to discipline and moderate their activity as had been the case in England, hence the accuracy of Taine's picture--noisy, bickering, self-centered, unstable factions in the French Chamber.[14] When difficulties arose French politicians were quick to overthrow the present system and seek a new, rationally ordered, ideal structure, a practice which was not consistent with the complexity of political reality. Furthermore, the nature of French society was such that the State, rationally constituted, acted directly and powerfully on the individual citizen. It was in this context, nevertheless, that he worked to find ways to educate the statesman and moderate the political functioning of the Third Republic.

To understand better Boutmy's work and also his intellectual framework, it is necessary to reconstruct, not only his view of the French political problems, but, so far as possible, his political opinions, for his writings

---

[14]The English Constitution, p. 32.

sometimes reveal a tension between the implications of his methodology and his political preferences. A reconstruction of the latter will also help to place him in an intellectual framework, a necessary process to assess his role from a historical viewpoint. Most of his political opinions have already been touched on in the course of explicating his writings; it chiefly remains to reconstruct them in a more systematic fashion.

Throughout his writings there runs a strong concern for the individual and his liberties and a corresponding fear of socialism. The State is almost always presented as the force that most threatens the individual. His analysis of England's political tradition and his psychological characterization of the English emphasize the native characteristics and historical formation that have made the individual uniquely energetic and inclined to resist the natural tendency of the State to encroach on his independence:

> The influence of a long past has intensified the Englishman's instincts, and affected even the "unconscious" depths of his nature. The horror of servitude is firmly implanted in his temperament. His need of independence, like the spring of a native and spontaneous passion, sets him going on occasion. All the forces of heredity struggle in him and for him against the despotism of the state.[15]

He clearly admired this trait of the Englishman.

---

[15]The English People, p. 206.

It is the emergence of this characteristic in the context of centuries of English political history that furnishes the leading theme of his study of the English. Liberty was an unqualified good needing no argument or justification. Until the aristocracy of the Eighteenth Century became rigid and exclusive the history of English social relations had revealed a fluid movement among the classes, openness to those who were moving up, and a strong sense of public spirit. The aristocracy had stood against the threat of the monarchy on behalf of the liberty of the whole nation. Whether it came in the form of humanitarian poor relief or state socialism, he feared socialism as the great threat of his day which might overcome any natural resistance to the State and thus undermine liberty.

With his strong emphasis on the liberty of the individual, Boutmy clearly stood in the European liberal tradition.[16] In his memorial on Laboulaye, he revealed his own predilections in his praise of Laboulaye for the latter's strong and consistent defense of liberal individualism. Laboulaye had insisted that each citizen should be free to go anywhere, to buy and sell, to publish, to pray freely with other citizens, in short to possess freely

---

[16]Cf. Guido de Ruggiero, The History of European Liberalism, pp. 357-363.

those prerogatives commonly labelled civil rights.[17]

Although he felt that the State possessed a natural tendency toward despotism, he was not totally negative or anarchistic. He recognized that the State must be able to act decisively. In his discussion of the English State he laid down three criteria as essential to the function of government, namely, "that the supreme power should be undivided in spirit, resolute in action, and energetic in movement."[18] It is precisely in respect of those three criteria that he considered the United States seriously lacking. In order to fulfill those criteria there must be an effective, bureaucratic hierarchy; lacking that, America's whole system is characterized by disintegration and dislocation. In fact, by definition America does not have a government, but that need be no serious problem since the United States is, strictly speaking, an economic enterprise organized for the exploitation of her vast natural resources and not a nation at all.

Though he did not formulate his conception of the State explicitly, the emphasis of his treatment and his criticism of American weaknesses points to his acceptance of the European conception of the state as "a unique moral

---

[17] Taine, Scherer, Laboulaye, p. 119.

[18] The English People, p. 158.

and judicial personality which has the capacity and role of fulfilling the mandate of the public good."[19] Such a State's action is "positive, peremptory, impetuous" and it "drives straight to its goal as soon as it has recognized its necessity, and . . . by its name alone, so to speak, precludes all debate, crushes all contradiction."[20] Such a State would seem to be exactly the threatening force he feared so greatly, yet he believed that a powerful and efficient State was necessary as a bulwark for the rights of the individual. Man in society is given us by nature as an indivisible concept; the natural man independent of society as eighteenth-century thinkers conceived of him does not exist.[21] Both the individual and the State have their proper place.

It was his view of the positive role of the State that led him to object to what he regarded as excessive individualism in Laboulaye. The latter's idea that the individual was not made for society but society for him, and that the State had no end in itself failed to recognize

---

[19]Éléments d'une psychologie politique du peuple américain, p. 137.

[20]Ibid., p. 183.

[21]Émile Boutmy, Review of Le Droit individual et l'Etat, by Charles Beudant, Annales des sciences politiques 6(1891):387.

the organic life and historic continuity of society.[22] He argued against Laboulaye that the State made progress, education, science, art, industry and commerce possible, that one cannot eliminate the mystical element--the idea of the fatherland--from the idea of the State, and that to destroy the notion of the public good would be to open the way to uncontrolled individual egotism.[23] He held, in the second place, that a properly constituted social order guaranteed the security of its citizens and yet did not obstruct their liberty.[24]

Though his whole orientation clearly propelled him toward a preference for the English system, he recognized that both France and England had their relative weaknesses and strengths in regard to the relationship between the individual and the State. He pointed out again and again how the unusually active temperament of the English people had generally kept the State at a distance from the individual, but the English faced a unique danger because their conception of liberty did not have the character and prestige of an abstract and superior law. He observed that "the idea of the natural rights of the man and the citizen is foreign to the British mind."[25] The danger for England

---

[22]Taine, Scherer, Laboulaye, p. 121.

[23]Ibid. [24]Ibid.

[25]The English People, p. 271.

is that her statesmen have no solid basis to refuse popular demands. If the British character changed due to the pervasive impact of the industrial revolution, she would be in greater danger of succumbing to socialism than France. The French danger is that her citizens are accustomed to looking to the State as the source of all good ever since the monarchy had reconstituted the nation and given it protection from foreign enemies.[26] Furthermore, since the Revolution had leveled all intermediate entities between the State and the individual, France generated a profound idealism and optimism which viewed political reality as plastic material easily molded and hence inclines easily toward socialism.[27] The strength of France lay in her unequivocal stand on the principles of liberty and justice for all, principles that determine the boundary between the private and public sectors judicially and philosophically.[28]

Related to his conviction that a State must possess energy, resoluteness and unity was his conception of the nation. He often used the terms interchangeably. The State was simply the political organization of the nation; a nation requires an idea of nationality shared by its

---

[26] Éléments d'une psychologie politique du peuple américain, p. 124.

[27] Studies in Constitutional Law, p. 163.

[28] The English People, p. 271.

members; the structure of the State must correspondingly reflect that unity and organic character. A sense of nationality is a sense of solidarity shared by a particular group of people based on a common historical experience. It generally assumes a mystical, religious character.[29] America was defective especially in this respect. Lacking both a settled population and a history, America could not develop a sense of nationality. Hence, the State was a mechanism contrived not to achieve national goals and given the requisite power, but to provide a context for fostering the life of competitive economic enterprise. It was obvious then that America could not serve as an example for France. Most of the lessons were negative. England, on the other hand, was an object of considerable admiration. The Norman conquest modified the institutions of the Middle Ages and, long before the rest of Europe, England had developed national unity, an idea of the State, equality before the law, equality of taxation, self-government and political liberty.

Boutmy did not make as much of the political mechanisms usually valued by liberals as one might expect. This is largely due to his methodology, for he recognized that political mechanisms are not always effective, and,

---

[29] Éléments d'une psychologie politique du peuple américain, p. 78.

conversely, that the spirit of a people is often able to subtly alter or by-pass structure anyway. For example, he affirmed the value of a vigorous party system, but argued that it must be disciplined and reflect a public spirit. The French political factions cause parliamentary chaos because they are narrowly egotistical in outlook. The British aristocracy represented the nation in its struggle against the crown and did not become class-conscious until the Eighteenth Century. The valuable union of mechanism and spirit possessed by the British is illustrated by the following statement:

> All political organization in England rests on a parti pris of optimism and confidence. The English feel the vigour of their public spirit; they have experienced the vigilance of a free press, and the power of associations and of public meetings. They flatter themselves that their political customs need no safeguards in the form of statutes.[30]

In short, though he valued the traditional civil and political rights emphasized by liberals, he recognized that the psychology of a people was equally or more important. England had preserved her liberties because race and milieu had fashioned a people with energy, initiative and independence. France faces danger because her people have been accustomed to look to the State for everything. The danger for England, as Boutmy saw it, was the threat that

---

[30] Studies in Constitutional Law, p. 25.

circumstances had produced a new race whose spirit would incline it toward socialism. Political mechanism alone could not save the nation.

A concept of natural law as an operative principle in human life runs through his works. On the surface there seems to be a contradiction between this emphasis and his methodology, for natural law as generally conceived is timeless and universal while race and milieu are local and particular. The problem is largely alleviated with a closer look at his idea of natural law; invariably, natural law meant Darwin's principle of natural selection through competitive struggle. It is evident that he felt the principle was applicable to human society as well as to the natural world. His belief in the principle of natural selection is revealed most clearly where he analyzed the situation and spirit of the rural laborers in England in comparison with the industrial working class. Darwin's theories become a working principle of interpretation. His use of Darwin, however, was more pervasive than his analysis of the Nineteenth Century. The struggle for life was evident in the earliest days of English history because the difficult physical environment accentuated the character of the competition. Boutmy noted, "In short, the basis of the English character is that produced by the most eager competitions and deafest and blindest of 'struggles for

life'."[31] This concept of Darwinian natural law does fit within his methodology, because it operates within the framework of a given race and milieu.

Boutmy's political principles, the result of a combination of his methodology and his liberal temper, may be summarized as follows. Man in his primitive condition had a disposition created by the impact of his physical environment. With the passage of time that disposition was modified by the accumulative effect of the environment, both physical and social, and by cultural intercourse with other peoples. That set of traits which define a people at any given moment he called race, but it is an empty concept, being reducible to the total impact of environment which had in the course of time become hereditary. He shared Taine's pessimism to a considerable degree regarding the masses. They are ruled mostly by passion; it takes time and effort to produce aristocracy who are governed by their reason. Apart from his race and history, man cannot be defined. Man in the abstract, emphasized by the eighteenth-century rationalists, does not exist.

Society too is the result of historical formation; out of such formation grows an idea of common nationality. The State, therefore, is not just a mechanism but an organic

---

[31] The English People, p. 131.

entity which fosters the common life and common good of a people. The State, therefore, must be given its proper place and must be able to carry out its function effectively. It has a tendency toware despotism, however, and since liberty of the individual was an unqualified good, safeguards must be erected against state encroachment; civil rights, political freedoms and constitutional checks are all useful and even necessary devices but the spirit of a people must be vigorous and hardy, desirous of preserving their individual liberty. He saw Darwin's principle of natural selection, operative within the historical process, providing a sense of independence and personal hardiness. The greatest threat to individual liberty was a unitarian constitution. The following statement illustrates concisely both his libertarian spirit and his feelings about a constitutional system:

> Liberty is, in different ways equally threatened, whether the sovereignty belongs to a single individual without check, to several without division, or to the majority of the whole nation without a counterbalance. It is always threatened when, in the equilibrium of social forces, the balance is too much on one side. A unitarian constitution whatever its principle, allows it no protection beyond that of public custom.[32]

The most effective shield against the State was the preservation and active life of historically formed entities,

---

[32]The English People, p. 209.

intermediate between the State and the individual, entities which might be called natural, that is, not dependent on the constitutional formation of the State. Finally, in line with his methodology, each people had to understand its own character in the light of race and milieu and know what political structure was most consistent with its own spirit and history. His study of England became the story of the rise of a healthy, liberal national society, a vindication of his political principles. He saw in England--prior to the Eighteenth Century--a strong resistance by the individual against the State, a fluid national, landed aristocracy, a self-reliant local government, corporations with an independent life, a church subordinate to the national good and a monarch the symbol of the nation.

With this reconstruction in mind, it is possible to place Boutmy in historical perspective. He clearly shared the high regard for the freedom of the individual with a long line of liberal thinkers that reached back into the Eighteenth Century. Tocqueville spoke for that tradition when he said:

> I do not believe that the real love of liberty ever arises from the consideration of material benefits, which often rather obscures it. That which has at all times won the hearts of a few for the cause of liberty is its own attractions, its own charme, apart from its benefits: the pleasure of being able to speak, to act, to breathe, without restriction, under the sole government of God and the laws. Any one who seeks in liberty something other than this

is born for slavery.[33]

The line of those who stood with Tocqueville on that high estimate of liberty goes back to Voltaire, moves through Constant, Guizot, Prévost-Paradol, Laboulaye, and on to Taine and Boutmy. One of the constant themes in Boutmy's writing is the degree of freedom left for the individual by the particular constitutional system he is examining. His great nemesis is not so much the form of government but the unitary constitution which acts on the individual with no checks or limitations. In his psychological analysis the question that kept surfacing was whether the individual was constitutionally disposed to resist the tendency of State tyranny. There was, however, considerable difference from one generation of liberals to another and even between individuals in the same epoch on two major points: the power and role of the state, and the means by which the individual was to be protected. Ruggiero's analysis of the movement of liberal thought in the Nineteenth Century helps give perspective on liberal variations:

> If we take the two typical forms of Liberalism, the French and the English, which at the end of the eighteenth century seem irreconcilable in their mutual contradiction and exclusion, we find that their differences tend to disappear in the course of the nineteenth century, as a result of two converging movements; the one leading English Liberalism toward a

---

[33]Ruggiero, The History of European Liberalism, p. 196.

> more democratic rationalistic form, the other leading French Liberalism, and continental Liberalism in general, towards a more historical outlook and a more individualized application of its rational content.[34]

Boutmy reflects something of the convergence as stated above for he had appreciation for the universal statement of human rights in the French Declaration and he worried about the lack of a theoretical definition of the State in England but he falls predominantly into the tradition which stressed historical continuity and eschewed abstract concepts of man and natural law. That position in turn essentially determined how he viewed the state and the means by which the individual was to be insulated from the State.

The means by which he sought refuge for the individual were historical rather than theoretical. The eighteenth-century conception of natural man was an abstraction for him and provided no real bulwark. Liberty and equality were values progressively realized in society and were best protected by a series of corporations or historical entities which do not owe their existence or creation to the State. The value he placed on history and his revulsion against abstract theory as presented by Rousseau, for example, was much in debt to Taine and goes beyond him through Guizot to rest comfortably with Burke who first introduced that tradition to continental liberals. His related sorrow

---

[34]The History of European Liberalism, p. 347.

and fear about the results of the Great Revolution's levelling impact is of one with Taine, Tocqueville and Burke. His methodological scheme was similarly rooted in history and reinforced that emphasis, for the moral disposition of both society and the individual were what race and milieu had made of it. One did not start with the individual prior to society but with the individual in society. The individual must be defined and his rights assured within his social context.

Although he was very strong on the value of a stable and balanced constitutional order he did not over-value the constitutional mechanism as such. He admired the English system greatly but warned against copying it in France. Here he was typical of his own era, for the Nineteenth Century no longer studied the English system as a model to be copied. The continental liberals had gradually learned their history. They realized that the centralized French structure made it difficult to apply the English system to their homeland.[35] Again in this case his methodology supported his position, for race and milieu were different in the case of England and France. He accordingly put greater

---

[35]Theodore Zeldin, "English Ideals in French Politics During the Nineteenth Century," The Historical Journal 2(1959):43-47; Carl Becker, "Some Aspects of the Influence of Social Problems and Ideas Upon the Study and Writing of History," p. 80.

emphasis on the spirit of the nation which stood behind the constitution. It was at this level that he still entertained hope for England in her present crises. Here too he had fears for France for her spirit was still revolutionary.

On the role and character of the State Boutmy was close to Burke and Savigny. He had praised Laboulaye for his staunch defense of the individual's rights but held that those rights were dependent on a society which, in the form of the State, could act with force and efficiency. Society has a mystical character and a public purpose which is not defined solely by the needs of the individual. It would almost seem that Boutmy had deserted his liberal moorings but he did not fall out so far on the side of society as to lose the individual as Burke and his German disciples essentially did.[36] It was the individual in society for him, a balance which he maintained quite successfully. Some, like Laboulaye, had stressed the importance of limiting the State while other liberals, like Boutmy, pointed out that "the rights of indiviudals acquire meaning and practical solidity only through the State."[37] Guizot, for example, was not for making government weak

---

[36]Cf. Cobban, Edmund Burke, pp. 85ff; Ruggiero, History of European Liberalism, pp. 136, 224-225.

[37]Ruggiero, History of European Liberalism, p. 199.

but for regulating its strength.[38]

With his political beliefs resting on Taine, Tocqueville, Laboulaye, Guizot, Savigny and Burke, it is not surprising to find that his historigraphical tradition was that of the Whig historians--Hallam, Stubbs, and Macauley of England along with Guizot of France and Gneist of Germany. They provided the outlines of English history with which he was ideologically comfortable and which he could adopt for his own purposes in addressing his French public. His interpretation of nineteenth-century England was derived from Tocqueville's prediction of the coming of democracy allied to Toynbee's interpretation of the industrial revolution as a sudden and drastic event. His fears for the future were those of the liberal who saw the democratic drive for equality turning the State into a despotic agent for material levelling on behalf of the masses.

It remains finally to evaluate his ideas and his task in the context of the political and intellectual currents of the Third Republic. Restoration liberals had resorted largely to constitutionalism against the implied sovereignty of the monarch. Cabinet government, division of powers, freedom of the press, the independence of local bodies, and the like became the political guarantees

---

[38]Johnson, Guizot, p. 59.

against the State.[39] For them England provided, if not a model, at least instruction on how a parliamentary constitution best functions. The struggle for liberty took a new form, however, within the leveling and centralizing process taking place in the context of industrialism and democracy. How could one be assured of political guarantees within a system in which the ultimate and only guarantee was the popular will? Having lost the earlier liberal confidence in legislation and structure, Third Republic liberals such as Paul Janet, Paul Leroy-Beaulieu and Edmond Scherer stressed the impact of historical formation on men's minds and spirits and emphasized the opinion that inner change had to take place prior to the reform of institutions and constitutions. In the view of these men representative and parliamentary government is adequate to the ends of liberty and self-government only "when it forms the last link in a chain of autonomous institutions, from the family to the school, the union, the commune, the province, in which power increases by exercise, and political ability is formed by education."[40]

Boutmy stood clearly and decisively with his friends and colleagues in this emphasis. England was important now

---

[39]Ruggiero, History of European Liberalism, pp. 162-166.

[40]Ibid., p. 209.

in a new sense; the historic development of her liberal spirit and institutions, her resistance to abstract theory and her gradual, point by point reform were greatly admired by Boutmy, though he was clearly aware that France, with her particular history, could not flatly adopt England's political institutions. The two chief ideals that nineteenth-century France did find in England, namely a locally-based aristocracy and decentralized government, he also valued, though with a somewhat different twist.[41] His position called for an elite based on education; to return the rule of a landed aristocracy was obviously very difficult if not impossible. Like Guizot, he believed that government had to be based on capacity. Ultimately, against Rousseau's popular will, politically wise statesmen and administrators were the only refuge. This meant men who understood the historical character of a nation's spirit and constitution.

To achieve that, comparative political studies were of great educational value. In the very studies in which he extolled the virtues of the English political system, however, he warned his countrymen against applying English or American mechanisms to the French situation. He constantly reiterated the theme that "constitutional mechanism

---

[41]Cf. Zeldin, "English Ideals in French Politics." pp. 48-58.

has no value or efficiency in itself, independently of the moral and social forces which support it or put it in motion."[42] Why then should France study the Anglo-Saxon political traditions? The value lay in the development of an understanding of the process of political evolution. In commenting on England's early political history he wrote, "A comparison between the various phases of the first process of evolution and the corresponding stages of the process in France suggested more than one useful lesson."[43] By lesson he meant simply an understanding of the working of the historical process, not models to apply to French politics. France needed that understanding of the historical process badly. The French consider abstract rationalism to be of universal application; the correct deduction from a priori principles gives them truth applicable to all nations.[44] With that intellectual tendency dominant, they, of all people, needed comparative political studies to teach them an understanding of history.

His writing further provided certain, specific political and historical insights which his contemporaries might have used with confidence. Taine's pessimistic view

---

[42] Studies in Constitutional Law, p. x.

[43] The English Constitution, p. viii.

[44] Studies in Constitutional Law, p. 56.

of the noisy, quarrelsome, factional parliamentary politics of the Third Republic was not unique to him. It has been echoed by English observers such as Bodley in his study of France and by modern historians such as Thomson.[45] Boutmy's comparative study of the Anglo-Saxon traditions had the potential to provide guidance for the French in parliamentary politics, especially since he warned France to learn about the process of constitutional development and not to copy mechanisms.

If one of the difficulties of the Third Republic was a mistaken attempt to combine parliamentary politics with a highly centralized government, as Bodley argued, then here also Boutmy's studies had a message for his era. By emphasizing the role played by the British aristocracy prior to their class-conscious rule of the Eighteenth Century, he showed the importance that dynamic, aggressive, local self-rule might have in resisting the despotism of the central government and in preparing the French for a more vital, experienced role in national politics. Such local involvement might also serve to foster an attachment to the nation through concrete, tangible interests.[46]

---

[45]Cf. Bodley, France, p. xiv; David Thomson, Democracy in France: The Third and Fourth Republics, 2d ed. (New York: Oxford University Press, 1946), p. 110.

[46]R. A. Jones argued that Taine's historical studies "fostered a new interest in his country's past, and gave a

Closely related to this was the impact of the Great Revolution. Soltau maintained that the revolution had the effect of narrowing political thought to the problem of the form of the State; the result was that it turned discussion away from the relation of the individual to the State and structurally nothing remained between the State and the individual in the aftermath of the Revolution. The practical consequence was a stunted view of liberty; the growth of an individualist concept of freedom was damaged and checked.[47] Soltau held that Rousseau so dominated the Nineteenth Century that all political schools proclaimed a subservience of the individual to the community. Boutmy, Taine, Laboulaye and their colleagues were fighting that very battle against Rousseau. A significant section of Boutmy's The Political Psychology of the English People deals directly with the question of the relationship of the State and the individual and a constant theme of that study

---

stimulus and a new outlook to the study of social psychology. By his condemnation of bureaucracy and excessive centralization, and by his insistence on the value of individual initiative and local patriotism, he infused a fresh interest into regional associations. On all these points he definitely led the way to a broad nationalism, a wider and enhanced conception of patriotism." One could equally as well maintain the same about Boutmy. "Taine and the Nationalists," The Social and Political Ideas of Some Representative Thinkers of the Victorian Age, ed. F. J. C. Hearnshaw (New York: Barnes and Noble, Inc., 1950), p. 249.

[47]French Political Thought in the Nineteenth Century, pp. xix-xxix.

is his emphasis on the English tendency to resist state encroachment and the value of independent entities between the individual and the State.

An important area where his thinking had less relevance, perhaps, was the social questions which concerned the working class of France. He believed that the English working class exemplified evolutionary principles at work and had the potential to resist state despotism, but such a view of the laboring class scarcely provided much help for the French workers who were struggling with a government and public suspicious of their demands ever since the Paris commune. Indeed his expressed fears of socialism, if anything, collided with the working class desires for governmental policies favorable to their interests. In one sense, his view that the State was concerned with general welfare left the door open for extrapolation by the working class theoreticians, but the major thrust of his writings did not really come to grips with their problems. In this respect Boutmy suffered the myopia common to his fellow liberals.

It is always difficult to evaluate the historical impact of a man who labored chiefly in the realm of ideas. In one sense Laski's judgment on Tocqueville's influence is relevant here:

> The generation to which he seemed a prophet, the generation of Scherer, Taine, Boutmy, and Prévost-Paradol, has left no successors. . . . Liberalism is essentially an aristocratic creed, and a period of insecurity is

unfavorable to its emergence.[48]

French political thinking became more radical and more polarized between left and right with the turn of the century. In his own way Boutmy labored in the footsteps of Tocqueville "to make democracy capable of governing and of being governed."[49] Institutionalized in the Ecole libre his vision reached down the generations to thousands of French civil servants. Perhaps it is more accurate to claim with Chastenet that the relative stability of France's longest lived republic was due in part to the work of civil servants infused with Boutmy's political principles and high sense of service to the nation.

---

[48]Harold J. Laski, "Alexis de Tocqueville," p. 112.

[49]Ibid., p. 114.

BIBLIOGRAPHY

Works by Boutmy

Political and Psychological Studies

Boutmy, Émile. Le Développement de la constitution et de la société politique en Angleterre. Paris: E. Plon, Nourrit et cie, 1887. Translated by Isabel M. Eaden as The English Constitution. London: Macmillan and Co., 1891.

_____. Le Développement de la constitution et de la société politique en Angleterre. Nouvelle edition, revue et augmentée. Paris: A. Colin, 1897.

_____. Éléments d'une psychologie politique du peuple américan: la nation, la patrie, l'Etat, la religion. Paris: A. Colin, 1902.

_____. "L'Empire britannique," Annales des sciences politiques 14(1899):537-563.

_____. Essai d'une psychologie politique du peuple anglais au XIXe siècle. Paris: A. Colin, 1901. Translated by E. English as The English People: A Study of Their Political Psychology. New York: G. P. Putnam's Sons, 1904.

_____. Études de droit constitutionnel: France, Angleterre, États-Unis. 2d ed. Paris: E. Plon, Nourrit et cie, 1888. Translated by E. M. Dicey as Studies in Constitutional Law. London: Macmillan and Co., 1891.

_____. Études de droit constitutionnel: France, Angleterre, États-Unis. 6th ed. Paris: A. Colin, 1913.

_____. Études politiques. Paris: A. Colin, 1907.

_____. "Le Gouvernement local et la tutelle de l'état en Angleterre," Annales des sciences politiques 1 (1886):165-203.

_____. "La Langue anglaise et le génie national," Annales des sciences politiques 14(1899):1-19.

_____. "M. Le Play et réforme sociale," Revue nationale 21(1865):389-423.

_____. Philosophie de l'architecture en Grèce. Paris: Germer Bailliere, 1870.

_____. Review of Le Droit individuel et l'état, by Charles Beudant. Annales des sciences politiques, 6(1891), pp. 386-87.

_____. Review of The Law of the Constitution, by A. V. Dicey. Annales des sciences politiques, 1(1886), pp. 157-59.

_____. Taine, Scherer, Laboulaye. Paris: Librairie Armand Colin, 1901.

Educational Articles and Pamphlets

Boutmy, Émile. Le Baccalauréat et l'enseignement secondaire, projets de réforme. Paris: A. Colin, 1899.

_____. L'Enseignment secondaire et la régime de nos lycées. Paris: Lahure, n.d.

_____. De l'Institution d'une license ès sciences politique et administratives dans les Facultes de droit. Paris: G. Chamerot, 1881.

_____. "On The Paris Free School of Political Science," Proceedings of the International Conference on Education. London: William Clowes and Sons, Ltd., 1884. Vol. 3:409-414.

_____, and Vinet, Ernest. Project d'une Faculté libre des sciences politiques. Paris: A. Laive, 1871.

_____, and Vinet, Ernest. Quelques Idées sur la creation d'uve Faculté libre d'enseignement superieur: Lettres et programme. Paris: A. Laive, 1871.

_____. Quelques Observations sur la réforme de l'enseignement supérieur. Paris: G. Bailliere, 1876.

_____. Des Rapports et des limites des études juridiques et des études politiques. Paris: A. Colin, 1889.

_____. Le Recrutement des administrateurs coloniaux. Paris: A. Colin, 1895.

Primary Sources Relative to Boutmy's Development

Bryce, James. The American Commonwealth. New ed., rev. 2 vols. New York: The Macmillan Co., 1910.

Buckle, Henry T. The History of Civilization in England. 2d ed. 2 vols. New York: D. Appleton and Co., 1876.

Freeman, Edward. History of the Norman Conquest of England. 3d ed. Oxford: The Clarendon Press, 1901.

_____. The Growth of the English Constitution. London: The Macmillan Co., 1872.

Fustel de Coulanges, Numa-Kemp. The Ancient City. Garden City, N. Y.: Doubleday and Co., Inc., n.d.

Gneist, Rudolph. The English Parliament in its Transformations Through a Thousand Years. Translated by R. J. Shee. London: H. Grevel and Co., 1886.

_____. The History of the English Constitution. 2 vols. London: William Clowes and Co., 1886.

Guizot, Francois. History of the Origin of Representative Government in Europe. Translated by A. R. Scoble. London: Henry G. Bohn, 1861.

Hallam, Henry. View of the State of Europe During the Middle Ages. 6th ed. New York: Derby and Jackson, 1859.

Janet, Paul. Histoire de la science politique. 5th ed. 2 vols. Paris: Alcan, 1913.

Maine, Henry Sumner. Popular Government. 5th ed. London: John Murray, 1879.

Montesquieu, Charles Louis de Secondat. Spirit of the Laws. Translated by Thomas Nugent. New York: Hafner Publishing Co., 1949.

Spencer, Herbert. The Man Versus the State. Caldwell, Idaho: The Caxton Printers, 1940.

Taine, Hippolyte A. The Ancient Regime. Translated by John Durand. New ed., rev. New York: Holt and Co., 1896.

_____. The French Revolution. Translated by John Durand. 3 vols. New ed., rev. New York: Holt and Co., 1896.

_____. History of English Literature. Translated by H. Van Laum. New York: John W. Lovell Co., 1873.

_____. Life and Letters. Translated by Mrs. R. L. Devonshire. 3 vols. New York: E. P. Dutton and Co., 1902.

_____. The Modern Regime. 2 vols. Translated by John Durand. New ed., rev. New York: Holt and Co., 1896.

_____. Notes on England. Translated by Edward Hyams. London: Thames and Hudson, 1957.

_____. Sa vie et sa correspondance. 4 vols. Paris: Librairie Hachette et c^ie, 1907.

Tocqueville, Alexis de. Democracy in America. 2 vols. Translated by Henry Reeve. New Rochelle, New York: Arlington House, n.d.

_____. Journeys to England and Ireland. Translated by G. Lawrence and K. P. Mayer. New Haven: Yale University Press, 1958.

_____. The Old Regime and the French Revolution. Translated by Stuart Gilbert. Garden City, N.Y.: Doubleday and Co., 1955.

Toynbee, Arnold. The Industrial Revolution. 1884; reprint ed., Boston: Beacon Press, 1956.

Stubbs, William. The Constitutional History of England. 3 vols. Oxford: The Clarendon Press, 1880.

Secondary Materials

Books

Adams, George B. Constitutional History of England. by R. L. Schuyler. New York: Henry Holt and Co., 1956.

Allen, Francis R. Socio-Cultural Dynamics: An Introduction to Social Change. New York: The Macmillan Co., 1971.

Amann, Peter, ed. The Eighteenth Century Revolution: French or Western? Lexington: D. C. Heath and Co., 1963.

Arnstein, Walter. Britain Yesterday and Today. 2d ed. Lexington, Mass.: D. C. Heath and Co., 1971.

Aulard, Alphonse. Taine, historien de la revolution francaise. Paris. 1907.

Babbit, Irving. The Masters of Modern French Criticism. New York: Farrar, Straus, and Co., 1963.

Bainville, Jacques. La troisième republique, 1870-1935. Paris, 1935.

Barnes, Harry Elmer, ed. An Introduction to the History of Sociology. Chicago: University of Chicago Press, 1948.

Becker, Carl L. The Heavenly City of the Eighteenth-Century Philosophes. New Haven: Yale U. Press, 1932.

Beer, Samuel H. British Politics in the Collectivist Age. New York: Random House, Inc., 1969.

Bellessort, André. Les intellectuels et l'avènement de la troisième republique, 1871-1875. Paris: Bernard Grasset, 1931.

Bloch, Marc. Feudal Society. Translated by L. A. Manyon. Chicago: University of Chicago Press, 1961.

Bodley, J. E. C. France. New York: The Macmillan Co., 1900.

Boorstin, Daniel. The Americans: the National Experience. New York: Vintage Books, 1967.

Bottiglia, W. F., ed. Voltaire: A Collection of Critical Essays. Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1968.

Bridenbaugh, Carl. Cities in Revolt. New York, 1955.

Brinton, Crane. English Political Thought in the Nineteenth Century. New York: Harper and Row, 1962.

Broderick, George C. English Land and English Landlords. Newton Abbot: David and Charles, 1881.

Brogan, Denis W. The Development of Modern France, 1870-1939. Rev. ed. Gloucester, Mass.: Peter Smith, 1970.

Bryce, James. Modern Democracies. 2 vols. New York: Macmillan Co., 1921.

Burke Edmund. Reflections on the Revolution in France. 1790; reprint ed., Chicago: Henry Regnery Co., 1955.

Cantor, N. F. and Werthman, M. S., eds. The English Tradition. New York: The Macmillan Co., 1967.

Cantor, Norman. William Stubbs on the English Constitution. New York: Thomas Y. Crowell Co., 1966.

Cassier, Ernst. The Philosophy of the Enlightenment. Translated by F. C. A. Koellen and J. P. Pettinggrove. 1951; reprint ed., Boston: Beacon Press, 1955.

Catalog of Ecole libre des science politiques. Paris, 1938.

Chapman, Gerald W. Edmund Burke, the Practical Imagination. Cambridge, Mass.: Harvard University Press, 1967.

Chapman, Guy. The Third Republic of France: the First Phase, 1871-1894. New York: St. Martin's Press, 1962.

Charlton, C. H. Positivist Thought in France. Oxford: Clarendon Press, 1959.

Chastenet, Jacques. Histoire de la troisième republique. 7 vols. Paris: Librairie Hachette, 1952-60.

Chevrillon, André. Taine: formation de sa pensée. Paris, 1932.

Clark, G. Kitson. The Making of Victorian England. 1962; reprint ed.; New York: Atheneum Press, 1969.

Clark, Terry N. Prophets and Patrons: The French University and the Emergence of Social Science. Cambridge, Mass.: Harvard University Press, 1973.

Cobban, Alfred. Edmund Burke and the Revolt Against the Eighteenth Century. 1790; reprint ed., London: George Allen and Unwin, 1960.

Commager, Henry Steele, ed. Britain Through American Eyes. New York: McGraw-Hill Book Co., 1974.

Conkin, Paul K. Self-Evident Truths. Bloomington: Indiana University Press, 1974.

Cooley, Thomas M. Treatise on Constitutional Limitations. 2d ed. Boston: Little, Brown and Co., 1871.

Coser, Louis A. Masters of Sociological Thought. New York: Harcourt, Brace, Jovanovich, Inc., 1971.

Court, W. H. B. A Concise Economic History of Britain from 1750 to Recent Times. Cambridge: The University Press, 1962.

Dargo, George. Roots of the Republic: A New Perspective on Early American Constitutionalism. New York: Praegar Publishers, 1974.

Degler, Carl. Out of Our Past: The Forces that Shaped Modern America. Rev. ed. New York: Harper and Row, 1970.

Digeon, Claude. La crisê allemande de la pensée francaise, 1870-1914. Paris: Presses Universitaires de France, 1959.

Durkheim, Émile. Montesquieu and Rousseau: Forerunners of Sociology. Ann Arbor: The University of Michigan Press, 1960.

Duverger, Maurice. Institutions politiques et droit constitutionnel. Paris: Presses Universitaires de France, 1955.

Earle, Edward M. Modern France: Problems of the Third and Fourth Republics. New York: Russell and Russell, 1964.

L'Ecole libre des sciences politiques, 1871-1897. Paris: Cahmerot et Renouard, 1897.

Elton, Godfrey E. The Revolutionary Idea of France, 1789-1871. New York: Howard Fertig, 1969.

Faguet, Émile. Politicians and Moralists of the Nineteenth Century. Freeport, N. Y.: Books for Libraries Press, 1970.

Farmer, Paul. France Reviews Its Revolutionary Origins. New York: Octagon Books, 1963.

Foville, Alfred de. Notice historique sur la vie et les travaux de M. Émile Gaston Boutmy. Paris: Firmin-Didot et c^le, 1910.

Gabriel, Ralph. The Course of American Democratic Thought. 2d ed. New York: Ronald Press Co., 1956.

Gide, Charles and Rist, Charles. A History of Economic Doctrines from the Time of the Physiocrats Until the Present Day. Translated by R. Richards. London: George C. Harrap and Co., 1915.

Giraud, Victor. Essais sur Taine: son oeuvre et son influence. Paris, 1928.

Gooch, G. P. History and Historians in the Nineteenth Century. 1913; reprint ed., Boston: Beacon Press, 1959.

Gorce, Pierre de la. Histoire du second empire. 7 vols. Paris: Plon-Nonrrit et C^ie, 1894-1904.

Greene, Evarts B. Foundations of American Nationality. New York, 1922.

Guiral, Pierre. Prévost-Paradol: pensée et action d'un liberal sous le second empire. Paris: Presses universitaires de France, 1955.

Halévy, Daniel. Trois épreuves, 1815, 1870, 1940. Paris, 1941.

Halévy, Élie. The Era of Tyrannies. Translated by R. K. Webb. Garden City, N.Y.: Anchor Books, 1965.

_____. A History of the English People in the Nineteenth Century, vol. 5: Imperialism and the Rise of Labour. Translated by E. I. Watkin. New York: Peter Smith, 1951.

_____. A History of the English People in the Nineteenth Century, vol. 6: The Rule of Democracy. London: Peter Smith, 1952.

Hanotaux, Gabriel. Histoire de la fondation de la troisième republique: 4 vols. Paris, 1925-26.

Hearnshaw, F. J. C., ed. The Social and Political Ideas of Some Representative Thinkers of the Victorian Age. New York: Barnes and Noble, Inc., 1950.

Herberg, Will. Protestant, Catholic, Jew. New York: Doubleday and Co., 1955.

Herr, Richard. Tocqueville and the Old Regime. Trenton, N. J.: Princeton University Press, 1962.

Hoffman, R. J. S. and Levack, P., eds. Burke's Politics. New York: Alfred A. Knopf., 1967.

Jameson, J. Franklin. An Introduction to the Study of the Constitutional and Political History of the States. Baltimore: Johns Hopkins University, 1886.

Jellinek, G. La Declaration des droits de l'homme et du citoyen. Translated by M. Fardis. Paris, 1902.

Johnson, Douglas. Guizot: Aspects of French History, 1789-1874. London: Routledge and Kegan Paul, 1963.

Kahn, Sholom J. Science and Aesthetic Judgement; A Study in Taine's Critical Method. New York: Columbia University Press, 1953.

Karlen, Harvey M. The Pattern of American Government. Beverly Hills, Cal.: The Glencoe Press, 1968.

Kelly, A. H. and Harbison, W. A. The American Constitution. 3d ed. New York: W. W. Norton and Co., 1963.

Kraus, Michael. Intercolonial Aspects of Colonial Culture on the Eve of the Revolution. New York, 1928.

La Grande Encyclopedie, n.d., S.v. "Foville, Alfred."

La Grande Encyclopedie, n.d., S.v. "Girardin, Émile de."

La Grande Encyclopedie, n.d., S.v. "Janet, Paul."

La Grande Encyclopedie, n.d., S.v. "Leroy-Beaulieu, Paul."

La Grande Encyclopedie, n.d., S.v. "Levasseur, Émile."

La Grande Encyclopedie, n.d., S.v. "Say, Leon."

La Grande Encyclopedie, n.d., S.V. "Sorel, Albert."

Lampard, Eric E. Industrial Revolution: Interpretations and Perspectives. Washington, D. C.: American Historical Association, 1957.

Landon, Judson. Constitutional History and Government of the United States. New York: Houghton Mifflin, 1900.

Lapsley, Gaillard T. Crown, Community and Parliament in the Later Middle Ages. Oxford: Basil Blackwell, 1951.

Lyon, Bryce. A Constitutional and Legal History of Medieval England. New York: Harper and Brothers, 1960.

Macauley, Thomas B. The History of England from the Accession of James II, 2 vols. London: Macmillan and Co., 1849.

McBriar, A. M. Fabian Socialism and English Politics, 1884-1918. Cambridge: The University Press, 1966.

McClelland, Charles E. The German Historians and England: A Study in Nineteenth Century Views. Cambridge: The University Press, 1971.

McNeill, W. H., ed. Lord Acton: Essays in the Liberal Interpretation of History. Chicago: University of Chicago Press, 1967.

Magrath, C. Peter et al. The American Democracy. New York: The Macmillan Co., 1969.

Martin, Kingsley. French Liberal Thought in the Eighteenth Century: A Study of Political Ideas from Bayle to Condorcet. New York: Harper and Row, Publishers, 1962.

Mayer, J. P. Alexis de Tocqueville. Translated by M. M. Bozman and C. Hahn. New York: The Viking Press, 1940.

Merk, Frederick. Manifest Destiny and Mission in American History. New York: Vintage Books, 1963.

Merriam, Charles Edwards and Barnes, Harry Elmer, eds. A History of Political Theory. New York: The Macmillan Co., 1924.

Mill, John Stuart. Considerations on Representative Government. Edited by C. V. Shields. 3d ed. New York: The Liberal Arts Press, 1958.

Mohrt, Michael. Les intellectuels devant la défaite, 1870. Paris: Editions Correa, 1942.

Mornet, Daniel. French Thought in the Eighteenth Century. Translated by Lawrence M. Levin. New York, 1929.

Namier, Lewis. The Structure of Politics at the Accession of George III. London: The Macmillan Co., 1929.

Olle-Laprune, Jacques. La stabilitie des ministres sous la troisième republique. Paris, 1962.

Osgood, Robert E. Ideals and Self-Interest in America's Foreign Relations. Chicago: University of Chicago Press, 1953.

Plamenatz, John. The Revolutionary Movement in France, 1815-1870. London: Longmans, Green, 1952.

Ponteil, Felix. Histoire de l'enseignement en France: les grand étapes, 1798-1964. Paris: Sirey, 1966.

Prévost, M. and D'amat, R., eds. Dictionnaire de Biographie Francaise. Paris - VI: Librairie Letouzey et Anné, 1956.

Redford, Emmette S. et al. Politics and Government in the United States. 2d ed. New York: Harcourt, Brace and World, 1968.

Reinach, Joseph. Histoire de l'affaire Dreyfus. 7 vols. Paris: Fasquelle, 1901-1908.

Renard, G. F. Les travailleurs du livre et du journal. 3 vols. Paris, 1925-26.

Round, J. H. Feudal England. 1895: reprint ed., New York: Barnes and Noble, 1964.

Rousseau, Jean-Jacques. The Social Contract. Translated by Charles Frankel. New York: Hafner Publishing Co., 1947.

Rowe, Constance. Voltaire and the State. New York: Columbia University Press, 1955.

Ruggiero, Guido de. The History of European Liberalism. Translated by R. G. Collingswood. 1927; reprint ed., Boston: Beacon Press, 1966.

Sainte-Beuve, C. A. Essays. Translated by Elizabeth Lee. London: Walter Scott, 1892.

Schmidt, Bernadotte E., ed. Some Historians of Modern Europe. Chicago: University of Chicago Press, 1942.

Scott, John A. Republican Ideas and the Liberal Tradition in France, 1870-1914. New York: Columbia University Press, 1951.

Singer, Armand E. The Effect of the War of 1870 on the Development of Taine's Thought. Ph.D. Dissertation, Duke University, 1943.

Smith, J. W. and Jamison, A. L. A Critical Bibliography of Religion in America, vol. 4: Religion in American Life. Trenton, N.J.: Princeton University Press, 1961.

Soltau, Roger H. French Political Thought in the Nineteenth Century. New York: Russell and Russell, 1959.

_____. French Parties and Politics, 1871-1930. London: 1930.

Sorel, Albert. Montesquieu. Translated by M. B. Anderson and E. P. Anderson. Port Washington, N.Y.: Kennikat Press, Inc., 1969.

Sorokin, Pitirim. Contemporary Sociological Theories Through the First Quarter of the Twentieth Century. New York: Harper and Row, 1928 and 1956.

Soulier, Auguste. L'instabilite ministerielle sous la troisième republique. Paris: 1939.

Stark, W. Montesquieu, Pioneer of the Sociology of Knowledge. Toronto: University of Toronto Press, 1961.

Story, Joseph. Commentaries on the Constitution. Boston: Hilliard Gray and Co., 1833.

Suleiman, Ezra N. Politics, Power and Bureaucracy in France: The Administrative Elite. Trenton, N.J.: Princeton University Press, 1974.

Taswell-Langmead, Thomas P. English Constitutional History from the Teutonic Conquest to the Present Time. 8th ed. Boston: Houghton Mifflin Co., 1919.

Teel, J. D. Y. Herbert Spencer, the Evolution of a Sociologist. New York: Basic Books, Inc., 1971.

Thomas, Franklin. The Environmental Basis of Society: A Study in the History of Sociological Theory. New York: The Century Co., 1925.

Thompson, James W. A History of Historical Writing. 2 vols. New York: The Macmillan Co., 1942.

Thompson, F. M. L. English Landed Society in the Nineteenth Century. London: Routledge and Kegan Paul, 1963.

Thomson, David, ed. France: Empire and Republic, 1850-1940. New York: Harper and Row, 1968.

_____. Democracy in France since 1870. 5th ed. New York: Oxford University Press, 1969.

Tint, Herbert. The Decline of French Patriotism, 1870-1940. London: Weidenfeld and Nicolson, 1964.

Tremblay, N. J., ed. Edmond Scherer on the Franco-Prussian War: Nine Letters Written Anonymously to the New York World. Tucson: University of Arizona, 1936.

Turner, F. J. The Frontier in American History. New York: Holt, Rinehart and Winston, 1962.

Watson, Steven. The Reign of George III, 1760-1815. Oxford: The Clarendon Press, 1960.

Weinbery, Albert K. Manifest Destiny. Chicago: Quadrangle Books, 1935.

Weinstein, Leo. Hippolyte Taine. New York: Twayne Publishers, 1972.

Williams, Basil. The Whig Supremacy, 1714-1760. Oxford: The Clarendon Press, 1962.

Woodward, E. L. The Age of Reform, 1815-1870. Oxford: The Clarendon Press, 1946.

Wright, Gordon. France in Modern Times, Chicago: Rand McNally and Co., n.d.

Zeldin, Theodore. The Political System of Napoleon III. New York: W. W. Norton and Co., 1958.

Articles

Ashley, W. J. Review of La Développement de la constitution et de la société politique en Angleterre, by Émile Boutmy. English Historical Review, 3 (1888), pp. 570-71.

Amann, Peter. "Taine, Tocqueville and the Paradox of the Old Regime." The Romanic Review 52 (October, 1961): 183-195.

Anonymous "England Viewed Through French Spectacles." The Quarterly Review 195 (1902): 501-518.

_____. "National Personality." Edinburgh Review 194 (July, 1901 - October, 1901): 140-44.

_____. Review of Éléments d'une psychologie politique du peuple américain, by Émile Boutmy. The Nation, 75 (August 14, 1902), p. 140.

_____. Review of The English Constitution, by Émile Boutmy. The Critic, 16 (July - September, 1891), pp. 25-26.

_____. Review of The English Constitution, by Émile Boutmy. Political Science Quarterly, 6 (1891), pp. 727-29.

_____. Review of The English People by Émile Boutmy. The Nation, 79 (September 15, 1904), p. 223.

_____. Review of Studies in Constitutional Law, by Émile Boutmy. The Critic, 16 (July - September, 1891), p. 116.

Arnauné, Auguste. Review of Études de droit constitutionnel, by Émile Boutmy. Annales des sciences politiques, 1 (1886), pp. 618-620.

Barnicoat, Constance. "England Seen Through French Eyes." The Fortnightly Review 83 (January - June, 1908):1027-37.

Becker, Carl. "Some Aspects of the Influence of Social Problems and Ideas Upon the Study and Writing of History." Publications of the American Sociological Society 7 (1912):73-107.

Boase, C. W. Review of The English Parliament, by Rudolph Gneist. English Historical Review, 2 (1887), pp. 559-566.

Broderson, A. "Themes in the Interpretation of America by Prominent Visitors from Abroad." Annals of the American Academy of Political and Social Science 295 (September, 1954):21-32.

Bruce, H. Addington. "The Englishman through French Eyes." The Outlook 78, No. 19 (1904):732-36.

Burgess, John W. "The American Commonwealth and its Relation to the Nation." Political Science Quarterly 1 (1886):9-35.

_____. Review of Études de droit constitutionnel, by Émile Boutmy. Political Science Qurterly, 1 (1888), pp. 507-8.

Caudel, Maurice. Review of Études politiques, by E. Boutmy. Annales des sciences politiques, 22 (1907), pp. 381-395.

_____. Review of Le Développement de la constitution et de la société politique en Angleterre. Nouvelle edition, by Émile Boutmy. Annales des sciences politiques, 13 (1898), pp. 129-130.

Cobban, Alfred. "Hippolyte Taine, Historian of the French Revolution." History, 53 (October, 1968): 331-341.

Crowell, John F. Review of The English Constitution and Studies in Constitutional Law, by Émile Boutmy. Annals of the American Academy of Political and Social Science, 2 (July, 1891 - June, 1892), pp. 103-104.

Daniels, Winthrop M. "Significant Books on Politics and Economics." The Atlantic Monthly 95 (January - June, 1905):549-564.

Deslandres, M. Review of La psychologie politique du peuple américain, by E. Boutmy. Revue de synthèse historique, 5 (1902), pp. 283-93.

Drescher, Seymour. "Alexis' Two Democraties." Journal of the History of Ideas 25 (April, 1964):217-234.

Gebhart, M. "Discours." Funerailles de M. Émile Boutmy. Paris: Institute de France, 1906.

Gottschalk, Louis. "Studies Since 1920 of French Thought in the period of the Enlightenment." Journal of Modern History 4 (June, 1932):242-260.

Habakkuk, H. J. "English Land Ownership, 1680-1740." Economic History Review, 10, No. 1 (February, 1940): 2-17.

Lebon, Andre. "Un Historien constitutionnel: M. Boutmy." Revue internationale de l'enseignement 15 (1880): 337-361.

Leroy-Beaulieu, Anatole. "Discourses pronounces a l'unauguration du monument élevé a la memoire d'Émile Boutmy le 12 Janvier, 1908." Annales de sciences politiques 23 (1908):1-7.

Levasseur, Ernest. "Boutmy et l'ecole." Annales des sciences politique 21 (March, 1906):141-179.

Levy-Bruhl, Lucien. "Emile Boutmy." La Revue de Paris, 1 (1906):795-805.

Lowell, A. L. Review of Essai d'une psychologie politique du peuple Anglais, by Émile Boutmy. American Historical Review, 7 (October, 1901 - July, 1902), pp. 360-363.

Monod, Gabriel. "Necrologie: Émile Boutmy." Revue historique 90 (Janvier - Avril, 1906):352.

Moore, Wilbert E. "A Reconsideration of Theories of Social Change." American Sociological Review 25 (December, 1960):810-18.

Osgood, H. L. Review of The English Constitution, by Émile Boutmy. Political Science Quarterly, 6 (1891), pp. 727-29.

Pasquet, D. Review of La psychologie politique du peuple anglais au xix^e siècle, by Émile Boutmy. Revue de synthèse historique, 2 (1901), pp. 141-152.

Pressense, Francis de. Review of La constitution anglaise, by Émile Boutmy. Revue bleu, (1887), Part I, pp. 812-817.

Prothero, G. W. "Gneist on the English Constitution." English Historical Review 3 (1888):1-33.

Reader, A. "Some Recent Books." The Contemporary Review 86 (July - December, 1904):144-152.

Rice, W. H. "The Meaning of Taine's Moment." The Romanic Review 20 (February, 1939):273-279.

Siegfried, André. Discours. Paris: R. Foulon, 1956.

Soto, Jean de. "Edouard de Laboulaye." Revue international de histoire politique et constitutionele 5 (1955): 114-150.

Stuart, Cushing. "Tocquevilles Duality: Describing America and Thinking of Europe." American Quarterly 21, No. 1 (Spring, 1969):88-89.

Suleiman, Ezra. "The French Bureaucracy and its Students: Towards the Desanctification of the State." World Politics 23, No. 1 (1970):121-170.

Tawney, R. H. "The Rise of the Gentry." Economic History Review 11, No. 1 (1941):1-38.

Viallate, Achille. Review of Éléments d'une psychologie politique du peuple américain, by Émile Boutmy. Annales des sciences politiques, 17 (1902), pp. 673-76.

Walloon, Henri. "Notice sur la vie et les travaux de M. Edouard-Rene Lefebvre Laboulaye, member ordinaire

de l'academie des inscriptions et belles-lettres." Memoires de l'institut national de France, academie des inscriptions et belles-lettres 35: 286-321.

Winnaker, R. A. "The Third French Republic, 1870-1914." Journal of Modern History 10 (September, 1938): 372-309.

Wolfenstein, Martha. "The Social Background of Taine's Philosophy of Art." Journal of the History of Ideas 5 (June, 1944):332-358.

Zeldin, Theodore. "English Ideals in French Politics During the Nineteenth Century." The Historical Journal 2, No. 1 (1959):40-58.

APPROVAL SHEET

The dissertation submitted by Louis J. Voskuil has been read and approved by the following committee:

Dr. Walter D. Gray, Chairman
Professor, History, Loyola

Dr. Margaret M. O'Dwyer
Professor, History, Loyola

Dr. Franklin A. Walker
Professor, History, Loyola

The final copies have been examined by the director of the dissertation and the signature which appears below verifies the fact that any necessary changes have been incorporated and that the dissertation is now given final approval by the Committee with reference to content and form.

The dissertation is therefore accepted in partial fulfillment of the requirements for the degree of Doctor of Philosophy.

Jan 6, 1977
Date

Walter D. Gray
Director's Signature